

**INDEX**  
**TORRANCE CITY COUNCIL**  
**October 22, 1996**

<b>SUBJECT</b>	<b>PAGE</b>
<b><u>OPENING CEREMONIES</u></b>	
1. Call to Order/Roll Call	1
2. Flag Salute/Invocation	1
3. Affidavit of Agenda Posting/Waive Further Reading	1
4. Withdrawn or Deferred Items	2,7
5. Council Committee Meetings/Announcements	2
<b><u>COMMUNITY MATTERS</u></b>	
6a. Resolution No. 96-146 Re Madrona Marsh Day	2
6b. Proclamation Re Veterans Day Weekend	3
6c. Proclamation Re Torrance Veterans Remembrance Day	3
6d. Proclamation Re Switzer Center Week	3
6e. Proclamation Re Red Ribbon Week	3
6f. Proclamation Re Help a Child Day	3
6g. Appointment of Richard Clutter to Commission on Aging	3
<b><u>CONSENT CALENDAR</u></b>	
7a. Approval of Minutes - September 24, 1996	3
7b. Torrance Youth Council Annual Report	3
7c. Release Of Payment Retention To SMC Construction, Inc.	4
7d. Purchase Order for Annual Requirement of Paper	4
7e. Gift Funds for Library	4
7f. Purchase Order Re Police Motorcycles	4
7g. Purchase Order Re Air Handling Unit for West Wing	4
7h. Purchase Order Re Hypochlorite Solution	4
7i. Professional Services Agreement Re Prairie Avenue	5
7j. Change Order Re Street Resurfacing Program	5
7k. Purchase Order Re Latham & Watkins	5
<b><u>TRANSPORTATION/PUBLIC WORKS</u></b>	
9a. Res. No. 96-147 Re Vacating Sewer/Storm Drain Easements	6
<b><u>PLANNING AND ZONING MATTERS</u></b>	
11a. Division 9 Code Corrections	6
<b><u>ADMINISTRATIVE MATTERS</u></b>	
13a. Resolution No. 96-148 Re Fire Permit Fee Schedule	7
13b. Unilateral Resolutions	7, 13-15

<u>SUBJECT</u>	<u>PAGE</u>
<b><u>HEARINGS</u></b>	
14a. Appeal of Planning Commission Denial of Modification to CUP 83-12 and PRE 96-0009	2, 7
14b. Appeal of Denial of WAV 96-0014 (White)	7 - 12
18. <b><u>ADDENDUM MATTERS</u></b>	10
<b><u>ORAL COMMUNICATIONS</u></b>	
19a. Councilmember O'Donnell Re Adoption of Schools	12
19b. Councilmember O'Donnell Re Newspaper Article About Councilmember Salaries	12
19c. Councilmember Walker Re State Assembly Election	12
19d. Mayor Hardison Re Gun Selling Near Schools and Residences	13
19e. Mr. Michael White Re Business and Professional Code for Swap Meets	13
<b><u>EXECUTIVE SESSION</u></b>	
20a. Executive Session Matters	13
<b><u>ADJOURNMENT</u></b>	
21. At 10:25 P.M., the meeting was formally adjourned to Tuesday, November 12, 1996, 5:30 P.M. for an Executive Session, to be followed by a Regular Meeting at 7:00 P.M.	15

\*

*Adjourned in Memory of  
Retired Torrance Crossing Guard Esther Tidmarsh*

\*

October 22, 1996

**MINUTES OF A REGULAR MEETING  
OF THE TORRANCE CITY COUNCIL**

**OPENING CEREMONIES**

1. **CALL TO ORDER**

The Torrance City Council convened in a regular session at 7:12 P.M. on Tuesday, October 22, 1996, in the Council Chambers at Torrance City Hall.

**ROLL CALL**

Present: Councilmembers Cribbs, Lee, Messerlian, Nakano, O'Donnell, Walker and Mayor Hardison.

Absent: None.

Also Present: City Manager Jackson, City Attorney Fellows, City Clerk Herbers and other staff representatives.

2. **FLAG SALUTE**

Carolyn Keith, Mobil Community Affairs, led the Pledge of Allegiance. Reverend Barry Griffing, Jubilee Fellowship, gave the invocation for the meeting.

\*

Mayor Hardison asked that the meeting be adjourned in memory of Retired Torrance Crossing Guard Esther Tidmarsh.

\*

3. **AFFIDAVIT OF AGENDA POSTING/WAIVE FURTHER READING**

**MOTION:** Councilmember Lee moved to accept and file the report of the City Clerk on the posting of the agenda for this meeting. The motion was seconded by Councilmember Cribbs and, there being no objection, it was so ordered by Mayor Hardison.

**MOTION:** Councilmember Lee moved that, after the City Clerk reads the number and title to any resolution or ordinance on the meeting agenda, the further reading thereof be waived, reserving and guaranteeing to each Councilmember the right to demand the reading of any such resolution or ordinance in regular order. The motion was seconded by Councilmember Cribbs and, there being no objection, it was so ordered by Mayor Hardison.

City Council  
October 22, 1996

4. **WITHDRAWN OR DEFERRED ITEMS**

City Manager Jackson announced that the appellant's request to withdraw Agenda Item No. 14A (Continued Council Consideration of an Appeal of a Planning Commission Denial of a Modification of a Previously Approved Conditional Use Permit (CUP 83-12) and a Precise Plan of Development PRE 96-0009).

5. **COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS**

**Finance and Governmental Operations Committee**

Tuesday, October 22, 1996 - 5:30 P.M.

Third Floor Assembly Room

Subject: Cultural Arts Center Business Plan

Next Meeting: Tuesday, November 19, 1996 - 5:30 P.M.

Third Floor Assembly Room

Subject: Cultural Arts Center Business Plan

Mayor Hardison announced the following: that Hughes Electrodynamics (3100 Lomita Boulevard) is holding a free Household Hazardous Waste Disposal Day on Saturday, October 26, 1996, 9:00 A.M. to 3:00 P.M.; that free tickets are available for the Air Force concert on Wednesday, October 23, 1996, and the Navy Commodores' concert on Saturday, October 26, 1996, both to be held in the James Armstrong Theatre; and that the Council will be dark on Tuesday, October 29, 1996 and November 5, 1996. She encouraged all to vote on Tuesday, November 5, 1996.

6. **COMMUNITY MATTERS**

6a. **RESOLUTION DECLARING MADRONA MARSH DAY**

City Clerk Herbers read aloud the title of Resolution No. 96-146.

**RESOLUTION NO. 96-146**

**A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF TORRANCE DECLARING SATURDAY,  
OCTOBER 26, 1996 "MADRONA MARSH DAY" IN  
THE CITY OF TORRANCE**

**MOTION:** Councilmember Nakano moved to adopt Resolution No. 96-146. The motion was seconded by Councilmember Walker and passed by unanimous roll call vote.

City Council  
October 22, 1996

6b. **PROCLAMATION** declaring the weekend of November 8 through 11, 1996 as **Veterans Day Weekend**

So proclaimed by Mayor Hardison and accepted by Commander Larry Fritzen and Henry Buie, Member of VFW Post 11045, Torrance.

6c. **PROCLAMATION** declaring Saturday, November 2, 1996 as **Torrance Vietnam Veterans Remembrance Day**

So proclaimed by Mayor Hardison and accepted by Mrs. Gene Hassan, Torrance Historical Society.

6d. **PROCLAMATION** declaring the week of November 3 through 9, 1996 as **Switzer Center Week**

So proclaimed by Mayor Hardison and accepted by Mr. Mike Beaupre, Chairman of the Board and Dr. Rebecca Foo, Executive Director of Switzer Center.

6e. **PROCLAMATION** declaring the week of October 23 through 31, 1996 as **Red Ribbon Week**

So proclaimed by Mayor Hardison and accepted by the following:  
Ms. Caren Dutton, 1st Vice President, Ms. Sandra Brigham, 3rd Vice President and Ms. Cristine Laulile, Chair, Red Ribbon Week, Torrance Council of PTAs; and Ms. Kristene Golia, Torrance Police Department Community Services Officer.

6f. **PROCLAMATION** declaring Monday, October 28, 1996 as **Help a Child Day**

So proclaimed by Mayor Hardison and accepted by Mr. Michael Shafer, Executive Chef of The Depot Restaurant and Mr. Herb Masi, Executive Director of South Bay Children's Health Center.

6g. **APPOINTMENT OF RICHARD CLUTTER TO COMMISSION ON AGING**

The Council confirmed the appointment of Mr. Richard Clutter to the Commission on Aging as the Torrance Adult Club Representative. He was sworn in by City Clerk Herbers.

7. **CONSENT CALENDAR**

7a. **APPROVAL OF MINUTES -- September 24, 1996**

7b. **TORRANCE YOUTH COUNCIL ANNUAL REPORT FOR OCTOBER 1995 THROUGH SEPTEMBER 1996**

**Recommendation**

It is recommended by the Parks and Recreation Director that the City Council accept and file the subject report.

City Council  
October 22, 1996

7c. RELEASE OF PAYMENT RETENTION TO SMC CONSTRUCTION, INC.

Recommendation

It is recommended by the Director of General Services that the City Council accept the completion of the renovation of the Police Department lobby and release the retention payment to SMC Construction, Inc., in the amount of \$9,168.65.

7d. PURCHASE ORDER FOR ANNUAL REQUIREMENT OF PAPER

Recommendation

It is recommended by the Director of General Services that the City Council authorize a purchase order be issued for an anticipated amount not to exceed \$100,000.00 to Zellerbach, Norwalk, CA, for the purchase of the City's annual requirement of paper.

7e. GIFT FUNDS TO TORRANCE PUBLIC LIBRARY

Recommendation

It is recommended by the City Librarian and the Finance Director that the City Council accept and appropriate up to \$2,000 in gift funds for Torrance Public Library for the Fiscal Year 1996-1997.

7f. PURCHASE OF FOUR (4) POLICE MOTORCYCLES

Recommendation

It is recommended by the Director of General Services, the Chief of Police and the Director of Fleet Services that the City Council authorize a purchase order be issued for an anticipated amount not to exceed \$32,080.97, to Poway Honda Kawasaki, Poway, CA, for the purchase of four (4) replacement Police motorcycles.

7g. AIR HANDLING UNITS FOR CITY HALL, WEST WING

Recommendation

It is recommended by the Director of General Services that the City Council authorize a purchase order to remove and replace a multi-zone air handling unit and a package air handling unit on the roof of City Hall, West Wing, to Sanders Engineering Co., Inc. of Yorba Linda, in the total amount of \$79,987.00.

7h. ANNUAL REQUIREMENT OF HYPOCHLORITE SOLUTION

Recommendation

It is recommended by the City Engineer and the General Services Director that the City Council authorize that a purchase order be issued to Jones Chemicals, Inc., of Torrance, California, in the amount of \$66,032.50, for the City's annual requirement of hypochlorite solution on an "as requested basis."

7i. **PROFESSIONAL SERVICES AGREEMENT FOR ENGINEERING DESIGN OF PRAIRIE AVENUE STREET IMPROVEMENTS**

**Recommendation**

It is recommended by the Engineering Director that the City Council approve a Professional Services Agreement with Parsons, Brinckerhoff, Quade & Douglas, Inc., for an amount not to exceed \$330,000 for engineering design of Prairie Avenue street improvements from south of 190th Street to Redondo Beach Boulevard.

7j. **CHANGE ORDERS FOR RESIDENTIAL STREET RESURFACING PROGRAM (SOUTH TORRANCE), 1995-1996 PHASE II - (C96-059)**

**Recommendation**

It is recommended by the Engineering Director that the City Council (1) approve two (2) change orders for construction of additional work; (2) reallocate the balance of funds from Phase I after all adjustments have been made; and (3) appropriate \$200,000 from Bond Proceeds to the Residential Street Resurfacing Program, 1996-1996 (South Torrance), Phase II (C96-059).

7k. **ADDITIONAL FUNDING FOR DEPARTMENT OF JUSTICE LAWSUIT**

**Recommendation**

It is recommended by the City Attorney that the City Council approve an additional appropriation of funds in the amount of \$250,000 to fund the existing purchase order with the law firm of Latham & Watkins to defend the City in the Department of Justice lawsuit, United States of America v. City of Torrance, et al., Case No. CV 93-4142 MRP (GHKx).

Councilmember Messerlian asked that Item Nos. 7i and 7j be removed from the Consent Calendar and discussed later in the meeting.

**MOTION:** Councilmember O'Donnell moved for the approval of Consent Calendar Item Nos. 7a through 7h and 7k (Item Nos. 7i and 7j were considered later in the meeting - see below). The motion was seconded by Councilmember Walker and passed by unanimous roll call vote.

At the request of Councilmember Messerlian, Engineering Director Burt provided detailed information regarding Item Nos. 7i and 7j per written material of record in the staff reports.

**MOTION:** Councilmember Messerlian moved for the approval of Consent Calendar Item Nos. 7i and 7j. The motion was seconded by Councilmember Cribbs and passed by unanimous roll call vote.

9. TRANSPORTATION/PUBLIC WORKS

9a. VACATING THREE SEWER AND STORM DRAIN EASEMENTS

Recommendation

It is recommended by the Engineering Director that the City Council approve and adopt the resolution summarily vacating certain sewer and storm drain easements located on private property south of 195th Street between Western Avenue and Van Ness Avenue.

City Clerk Herbers read aloud the title of Resolution No. 96-147.

**RESOLUTION NO. 96-147**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE ORDERING THE SUMMARY VACATION OF CERTAIN EXISTING SEWER AND STORM DRAIN EASEMENTS ON PRIVATE PROPERTY SOUTH OF 195TH STREET BETWEEN WESTERN AVENUE AND VAN NESS AVENUE**

**MOTION:** Councilmember Nakano moved to adopt Resolution No. 96-147. The motion was seconded by Councilmember Walker and passed by unanimous roll call vote.

11. PLANNING AND ZONING MATTERS

11a. DIVISION 9 CODE CORRECTIONS

Recommendation

It is recommended by the Planning Director and the City Attorney that the Council adopt an ordinance making certain corrections to Division 9 of the Torrance Municipal Code.

City Clerk Herbers read aloud the title of Ordinance No. 3429.

**ORDINANCE NO. 3429**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE REPEALING SECTIONS 91.2.2, 91.2.23, 91.2.25, 91.2.56, 91.2.66, 91.2.69 OF THE TORRANCE MUNICIPAL CODE; RENUMBERING SECTION 91.2.83 TO PREVENT A DUPLICATION; REPEALING ORDINANCE 3424, AND ENACTING A NEW ARTICLE 36 OR CHAPTER 2 OF DIVISION 9 RELATED TO DEVELOPMENT PERMITS**

**MOTION:** Councilmember Nakano moved to adopt Ordinance No. 3429. The motion was seconded by Councilmember Walker and passed by unanimous roll call vote.



13. ADMINISTRATIVE MATTERS

13a. NEW FIRE PERMIT FEE SCHEDULE

Recommendation

It is recommended by the Fire Chief that the City Council adopt a resolution replacing Resolution No. 86-233, adding certain new fees related to annual and temporary use fire permits as required by the Uniform Fire Code (UFC), Sections 105.3.4 and 105.8, as adopted by the City of Torrance.

City Clerk Herbers read aloud the title of Resolution No. 96-148.

**RESOLUTION NO. 96-148**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE REPEALING RESOLUTION 86-233 AND ENACTING A NEW RESOLUTION WHICH CARRIES FORTH CERTAIN FEES AND ADDS CERTAIN NEW FEES CONCERNED WITH INSPECTIONS AND FIRE PERMITS**

MOTION: Councilmember Nakano moved to adopt Resolution No. 96-148. The motion was seconded by Councilmember Walker and passed by unanimous roll call vote.

13b. UNILATERAL RESOLUTIONS

Considered later in the meeting (see page 13).

14. HEARINGS

14a. CONTINUED COUNCIL CONSIDERATION OF AN APPEAL CONDITIONAL USE PERMIT (CUP 83-12) AND A PRECISE PLAN OF DEVELOPMENT (PRE 96-0009)

Withdrawn (see page 2).

14b. COUNCIL CONSIDERATION OF AN APPEAL OF A PLANNING COMMISSION DENIAL OF A WAIVER OF THE SIDE YARD SETBACK REQUIREMENT (WAV 96-0014), JEFF WHITE

Recommendation

It is recommended by the Planning Commission and the Planning Director that the City Council deny a request of a Waiver of the side yard setback requirement (WAV 96-0014) to allow a 640 square foot addition to the existing garage in the rear yard of a single-family residence located on a property in the R-1 zone at 5031 Mindora Drive.

City Council  
October 22, 1996

Senior Principal Planner Gibson presented the staff report per written material of record.

In answer to questions from Councilmember O'Donnell, Senior Principal Planner Gibson clarified that the patio cover at the location was constructed by the appellant without a permit and that the garage addition was built without the benefit of a permit.

Considering a scenario where there was no garage at the subject location, Councilmember Messerlian asked if a new garage could be built if it was set back five feet from the side property line even though a car to the left would not be able to pull out.

Senior Principal Planner Gibson advised that it would depend on where the garage was to be built; that, with the present configuration, there could be a problem maneuvering vehicles into the space; and that the condition would become worse the more the garage is moved to the west.

In answer to inquiries from Mayor Hardison, Senior Principal Planner Gibson supplied clarification concerning the approximate location of the original garage. He advised that the current garage is 20 feet wide; that one cannot make the assumption that 10 feet was taken off the front; and that, since no relevant records are available, he is hesitant to provide specific numbers.

Appellant Alise White, 5031 Mindora Drive, explained the following: that the corner of the original garage was about one-half inch away from the actual primary dwelling; that, when she and her husband remodeled their home, they were asked by the Planning and Building and Safety Departments to move the garage back six feet to accommodate the turning radius, so there is a six foot distance between the garage corner and the back of the house; that, when they purchased the home, there was an existing, 12 foot X 20 foot unpermitted addition to the rear of the garage constructed some time in the 1950s; that the actual new addition is 20 feet X 20 feet to the rear of what was there in the 1950s; and that they were not aware that the patio cover needed a permit until they were about six weeks into the process of requesting a waiver for the side yard setback.

Ms. White noted copies of letters in support of the request from residents living to the east and west of the subject property. She related that moving the structure two and one-half feet over would be very expensive and result in unreasonable difficulty; that the enforcement of the five-foot side yard setback requirement would create five feet of dead space along the east side of the property and a space for "junk" and would negatively impact the curb appeal; that the lower level of the structure would be for boat storage and office space; that the existing office would be the baby's room in the future; and that, contrary to the Planning Commission's opinion, the upper level would not be used as habitable space, particularly since the ceiling height would be insufficient and there would be no plumbing or heating.

It was noted by Ms. White that the neighbors to the rear (Dabbs, residing at 5030 Avenue B, Redondo Beach) are concerned over potential negative impact on their view and the potential for setting a precedent. However, she pointed out that a complete second story addition would completely eliminate the view of the neighbors to

City Council  
October 22, 1996

the rear; that this area is not the Hillside Overlay District; that the photographs provided by the Dabbs give a false sense of view loss; that views do not add value to properties in the neighborhood; and that substantial precedents in the neighborhood have already been set.

Ms. White noted that the attic space in her home is no where near the size, height or visibility of that in the seven homes for which she provided photographs. She requested that the Council reconsider and approve the request.

Councilmember O'Donnell mentioned that side yard setbacks have a very specific purpose of creating space between houses in the event of a fire and she voiced her preference for a much wider side yard setback requirement in general. Councilmember O'Donnell contended that, due to the nature of Ms. White's employment, she should have known the importance of obtaining permits and that, while \$35,000 to \$40,000 to move the structure would be expensive, the appellants had adequate knowledge of regulations relating to real estate by virtue of Ms. White's experience as a savings and loan employee, particularly since she deals in the real estate division.

Ms. White explained that she was aware permits were required for the garage; but, not for the patio. She sincerely acknowledged her lack of judgment in this situation.

Councilmember O'Donnell noted that the appellants should also have been familiar with the necessity for side and rear yard setbacks, etc. and their relationship to property safety etc.

Councilmember Nakano asked when the appellants discovered the unpermitted extension to the garage.

Ms. White stated that it was disclosed at the time of purchase; that it was listed on the original appraisal, but no value was given to it; that every second to third home on the street has the same type of unpermitted addition constructed around the same period of time; and that the original intention was to replace the previous addition.

Councilmember Nakano observed that the appellants were aware of the unpermitted garage addition when the home was purchased and they went ahead and constructed another unpermitted addition.

Appellant Jeff White, 5031 Mindora Drive, explained that a permit for the addition they constructed was not obtained before it was brought to their attention by the Planning Department because of the high cost to apply for a variance, the approval of which was not guaranteed, and that they would have applied for a waiver to the side yard setback had they known it was the appropriate procedure.

Mr. Joseph Dabbs, 5030 Avenue B, Redondo Beach, residing directly to the rear of the subject property, spoke in opposition to the project as currently proposed. He maintained that it would essentially be a two-story garage with living space above it

City Council  
October 22, 1996

and that it would negatively impact adjacent properties, and the neighborhood at large. He related his understanding that others residing in the vicinity of the subject property also oppose the project and Mr. Dabbs outlined additional concerns he has as follows: the project would not conform with the five- foot side yard setback requirement; that the project has grown even closer to his property line and, to date, the City has not provided him with information regarding whether or not the garage meets rear yard setback requirements; and that the addition would be higher than the main house, which would be out of character with the neighborhood; that a precedent could be set, particularly along the Lomita Boulevard extension which was vacated. He said that he could agree with a solution whereby the building is lowered to a height to 14 feet and in its present location.

Councilmember Messerlian questioned the height of the garage with the addition from grade to the top of the ridge.

Senior Principal Planner Gibson advised that it is 17 feet at the lowest point to the top of the ridge.

Ms. White came forward again to address the issue of the rear yard setback. She explained that, according to the original plans, it appears to be 13 to 16 feet; that she tried several times to measure it; that the Building and Safety Department offered to help determine the rear yard setback; that, as of this time, the rear lot line appears to be within the Dabbs' yard; and that the red fence appears to have been constructed on the original property line.

**MOTION:** Councilmember Lee moved to close the public hearing. The motion was seconded by Councilmember Cribbs and passed by unanimous roll call vote.

Councilmember Lee stated his feeling that, if the property was vacant, it would be reasonable to approve a four-car, tandem garage. Noting his problem with the height, he expressed his opinion that it would be reasonable to continue the side yard setback of the existing garage down the fence line. Councilmember Lee recalled discussions during previous revisions to the R-1 Standards whereby accessory and two-story structures at the rear of lots present problems.

**MOTION:** Councilmember Lee moved for the approval of WAV 96-0014 as conditioned and including Findings of Fact set forth by staff, adding the following condition:

- o That the original garage extension shall match the existing garage height and shall not exceed 14 feet.

The motion was seconded by Councilmember Cribbs and ultimately passed by a 5-2 majority roll call vote.

Prior to roll call vote, discussion continued with Senior Principal Planner Gibson providing clarification for Councilmember Messerlian concerning alternatives in the event the project is denied. He commented on the difficulty of determining the appellants' rear yard property line.

Councilmember Messerlian stated his viewpoint that, in cases such as this where there appears to have been some indiscretion with regard to obtaining permits, the proper course of action would be to seek reasonable applications of the standards. He stated his support of the motion offered by Councilmember Lee.

Councilmember O'Donnell commented on the flaunt of arrogance displayed by the appellants in not obtaining permits and replacing an unpermitted addition with an even larger one.

With regard to Ms. White's concern over the high expense to move the structure, Councilmember Nakano called attention to the chances taken when a structure is constructed without a permit. He related his support of a denial.

Councilmember Walker voiced his support of the motion. He agreed with Ms. White's feeling that the side yard would be non-productive space and said that this general topic should be examined in the future. Councilmember Walker mentioned the difficulty of determining what is reasonable when the appellants deliberately violated City requirements and he stated his opinion that the motion is reasonable insofar as what might ultimately be allowed on the property and what other property owners in the area who might or might not be thinking about doing in the future.

Responding to a question from Mayor Hardison, Building Inspection Supervisor Becker advised that the City has no records of anything noted at the subject property when the original home was expanded and that, because both the patio cover and the addition were done without permits, the City did not know about them.

Mayor Hardison asked if patio covers are generally counted as one structure with the main building.

Senior Principal Planner Gibson advised that it frequently happens; that it is not a question of structure, but a question of safety; and that, when detached accessory structures are connected to houses, it becomes an issue of fire protection.

Following a question from Mayor Hardison, City Attorney Fellows advised that the appellants would not have to take advantage of a permit as approved by the Council.

Mayor Hardison requested additional clarification concerning the rear property line.

Senior Principal Planner Gibson advised that the appellants submitted plans to the City which are supposed to be true representations of conditions in the field and, should they not be, the appellants could be asked to provide a survey and that, should there be an obvious rear setback problem, the project would be returned for the Planning Commission's consideration.

Councilmember O'Donnell clarified that she does not object to as-built permits; however, she does object to a buyer who purchases a property and proceed to create such conditions (as opposed to one who buys a property and discovers such a condition).

Mayor Hardison related her support of the motion in that it would be a reasonable compromise; said that she could not see any value to requiring the appellants to move the structure two and one-half feet and that it could become usable space by young children; voiced concern that a precedent could be set with moving the areas in which family-type activities take place close to the property line; and observed that the homes in the neighborhood are situated in such a way that usable yards and living space are located to the front of the properties, and not to the rear.

The motion for approval with conditions passed by the following 5-2 roll call vote:

Ayes:	Cribbs, Lee, Messerlian, Walker and Mayor Hardison.
Noes:	Nakano and O'Donnell.
Abstain:	None.
Absent:	None.

**MOTION:** Councilmember Nakano moved to adopt Resolution No. 96-154. The motion was seconded by Councilmember Walker and passed by unanimous roll call vote.

#### RESOLUTION NO. 96-154

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A WAIVER OF THE SIDE YARD SETBACK REQUIREMENT ON PROPERTY LOCATED IN THE R-1 ZONE AT 5031 MINDORA DRIVE

#### 18. ADDENDUM MATTERS

None.

\*

At 8:55 P.M., the City Council convened as the Redevelopment Agency of the City of Torrance. The meeting of the Redevelopment Agency was adjourned at 9:00 P.M., and consideration of regular Council business was resumed.

\*

#### 19. ORAL COMMUNICATIONS

19a. It was announced by Councilmember O'Donnell that Torrance High School was adopted by Republic Bank and that Hull Middle School was adopted by Moog, Inc.

19b. Councilmember O'Donnell commented on a recent newspaper article in which the salaries of councilmembers in various South Bay cities were compared.

19c. Councilmember Walker read aloud a prepared statement addressing claims by his opponent in the race for the State Assembly.

City Council  
October 22, 1996

19d. Mayor Hardison asked for direction from the Council with regard to possibly placing conditions on the sale of guns near schools and residential neighborhoods. There being general consensus, Mayor Hardison directed the City Attorney to explore possibilities and provide relevant input to the Council in the future.

19e. Mr. Michael White, 16300 Crenshaw Boulevard, commented on the past Police Chief's waiver of the Business and Professional Code with regard to swap meets.

Mayor Hardison asked staff to obtain pertinent input from the Police Department.

\*

At 9:10 P.M., there was a brief recess.

\*

20. **EXECUTIVE SESSION**

20a. **EXECUTIVE SESSION MATTERS**

After the recess, the Council entered into Closed Session to consider the items listed on the agenda according to Government Code Sections 54957.6, 54956.9 and 54956.8.

The Council returned to Council Chambers at 10:20 P.M.

Mayor Hardison announced that the Council met in Executive Session to consider the items listed on the agenda.

\*

Agenda Item No. 13b was considered out of order at this time.

13b. **UNILATERAL RESOLUTIONS**

**Recommendation**

It is recommended by the City Manager that the City Council adopt the following resolutions:

Extension of hours, wages and working conditions for the following City employee representation units:

Torrance Municipal Employees - AFSCME, Local 1117  
Engineers  
Torrance Fiscal Employees Association  
Torrance Professional & Supervisory Association  
Torrance Library Employees Association

City Clerk Herbers read aloud the title of Resolution No. 96-149.

**RESOLUTION NO. 96-149**

**A UNILATERAL RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF TORRANCE AMENDING RESOLUTION  
NO. 94-111 SETTING FORTH CERTAIN CHANGES  
REGARDING HOURS, WAGES, AND WORKING  
CONDITIONS FOR EMPLOYEES REPRESENTED BY  
THE TORRANCE MUNICIPAL EMPLOYEES AFSCME,  
LOCAL 1117**

**MOTION:** Councilmember Nakano moved to adopt Resolution No. 96-149. The motion was seconded by Councilmember Walker and passed by unanimous roll call vote.

City Clerk Herbers read aloud the title of Resolution No. 96-150.

**RESOLUTION NO. 96-150**

**A UNILATERAL RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF TORRANCE AMENDING RESOLUTION  
NO. 94-113 SETTING FORTH CERTAIN CHANGES  
REGARDING HOURS, WAGES, AND WORKING  
CONDITIONS FOR EMPLOYEES REPRESENTED BY  
THE ENGINEERS**

**MOTION:** Councilmember Nakano moved to adopt Resolution No. 96-150. The motion was seconded by Councilmember Walker and passed by unanimous roll call vote.

City Clerk Herbers read aloud the title of Resolution No. 96-151.

**RESOLUTION NO. 96-151**

**A UNILATERAL RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF TORRANCE AMENDING RESOLUTION  
NO. 94-115 SETTING FORTH CERTAIN CHANGES  
REGARDING HOURS, WAGES, AND WORKING  
CONDITIONS FOR EMPLOYEES REPRESENTED BY  
THE TORRANCE FISCAL EMPLOYEES ASSOCIATION**

**MOTION:** Councilmember Nakano moved to adopt Resolution No. 96-151. The motion was seconded by Councilmember Walker and passed by unanimous roll call vote.

City Clerk Herbers read aloud the title of Resolution No. 96-152.



**RESOLUTION NO. 96-152**

**A UNILATERAL RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF TORRANCE AMENDING RESOLUTION  
NO. 94-112 SETTING FORTH CERTAIN CHANGES  
REGARDING HOURS, WAGES, AND WORKING  
CONDITIONS FOR EMPLOYEES REPRESENTED BY  
THE TORRANCE PROFESSIONAL AND SUPERVISORY  
ASSOCIATION**

**MOTION:** Councilmember Nakano moved to adopt Resolution No. 96-152. The motion was seconded by Councilmember Walker and passed by unanimous roll call vote.

City Clerk Herbers read aloud the title of Resolution No. 96-153.

**RESOLUTION NO. 96-153**

**A UNILATERAL RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF TORRANCE AMENDING RESOLUTION  
NO. 94-114 SETTING FORTH CERTAIN CHANGES  
REGARDING HOURS, WAGES, AND WORKING  
CONDITIONS FOR EMPLOYEES REPRESENTED  
BY THE TORRANCE LIBRARY EMPLOYEES ASSOCIATION**

**MOTION:** Councilmember Nakano moved to adopt Resolution No. 96-153. The motion was seconded by Councilmember Walker and passed by unanimous roll call vote.

City Manager Jackson advised that the City was at an impasse with the American Federation of State, County and Municipal Employees (AFSCME); that fact finding was requested; and that other groups are still in discussion.

\*

21. **ADJOURNMENT**

At 10:25 P.M., the meeting was formally adjourned to Tuesday, November 12, 1996, 5:30 P.M., for an Executive Session, to be followed by the Regular Meeting at 7:00 P.M.

\*

***Adjourned in Memory of  
Retired Torrance Crossing Guard Esther Tidmarsh***

\*

City Council  
October 22, 1996

*Doc Harrison*  
\_\_\_\_\_  
Mayor of the City of Torrance

*Joe Heber*  
\_\_\_\_\_  
Clerk of the City of Torrance