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TORRANCE CITY COUNCIL – MAY 12, 2020

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At 1:30 a.m., the City Council adjourned to Tuesday, May 19, 2020, at 5:30 p.m. for closed session, with the regular meeting commencing at 7:00 p.m. teleconference or other electronic means.

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

1. CALL TO ORDER

The Torrance City Council convened in a regular meeting on Tuesday, May 12, 2020 at 7:00 p.m. via teleconference.

ROLL CALL

Present: Councilmembers Chen, Goodrich, Griffiths, Kalani, Mattucci, and Mayor Furey.

Absent: None.

Present: City Manager Jackson, Assistant City Manager Chaparyan, City Attorney Sullivan, City Clerk Poirier and other staff representatives

2. FLAG SALUTE/ INVOCATION

The flag salute was led by Councilmember Griffiths

The non-sectarian invocation was given by Councilmember Kalani.

3. REPORT OF CITY CLERK ON POSTING OF THE AGENDA/ MOTION TO WAIVE FURTHER READING

City Clerk Poirier reported that the agenda was posted on the Public Notice Board at 3031 Torrance Boulevard and on the City's website on Thursday, May 7, 2020.

MOTION: Councilmember Griffiths moved that after the City Clerk has read aloud the number and title of any resolution or ordinance on the meeting agenda, the further reading thereof shall 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 Chen and passed by 6-0 vote.

4. WITHDRAWN, DEFERRED OR SUPPLEMENTAL ITEMS

No items were withdrawn or deferred. Supplemental material available for items: 9A, 9B, and Oral Communications.

5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS

Mayor Furey announced on Friday, May 8, 2020, subsequent to the posting of the agenda on Thursday, a need arose for Council consideration to be added open session as agenda item 9E. In order to take action on a matter that is not on the agenda, the California Government Code requires a determination by two-thirds vote of the Council that immediate action is necessary and the need to take action arose subsequent to the posting of the agenda.

MOTION: Councilmember Griffiths moved to take action on the item. The motion was seconded by Councilmember Chen and passed by 6-0 vote.

Councilmember Griffiths reminded the public that the 2020 Census is still accepting submissions online, by mail, and by phone. To submit online visit 2020census.gov.

Councilmember Kalani announced the Tiger Squadron will do an Armed Forces tribute flyover along Torrance Blvd. on Saturday, May 16 at 1:00 p.m.

Mayor Furey invited the community to celebrate the city's graduating class of 2020 on the City's daily live newscast, COVID-19 Today. To submit photos and names of graduates, email COVID19Today@TorranceCA.gov.

6. COMMUNITY MATTERS

6A. RECOGNITION OF 2020 HOMETOWN HEROES BANNER RECIPIENTS

Staff Assistant Reed introduced the 2020 Hometown Heroes Military Banners honoring the following Torrance residents who have served or are currently serving in the Armed Forces: Henry J. Baranowski, Peter Barrera, Doug Crawford, Jim Crawford, Miguel Duarte, Robert Stephen Gilles, Philip Materman, Garrett Moulton, Robert Pahls, Roderick G. Rohrberg, Kevin P. Rohrberg, Mary Mahoney Campazzie, Joseph Demueules, Brian Demeules, Pablo Diaz, Howard Feltham, Stan Gray, Charles Hoover, William Ihde, Dorothy Mora, Scotty Poling, Travis Quintana, Robert Sawyer, Larry Dellis Schnorr, Kazuto Taniguchi, Marilyn N. Guerra, Daniel Lafranchi, Markus Mackintosh, Jack Parker, and Samantha Zelada.

6B. PROCLAMATION RE OBSERVANCE OF ARMED FORCES DAY

Councilmember Goodrich read the proclamation declaring May 15-17, 2020 for Observance of Armed Forces Day and Torrance's Salute to the United States Military.

6C. UPDATE ON COVID-19

City Manager Jackson announced the city is actively into the recovery phase of dealing with the emergency. Per City Council's request, letters were sent to County Supervisors and Barbara Ferrer, Director of Los Angeles County Public Health Department, encouraging them to consider the city's request to reopen the economy under a local order. On May 8, the County issued specific Phase II guidelines, which allow bookstores, music stores, toy stores, florists, car dealerships, sporting goods retailers, and trails to reopen. City Manager Jackson stated the City will continue to monitor all federal, state, and county guidelines. He touched on the various local recreational facilities that have opened up in the past week.

Fire Chief Serna reminded the public to continue taking the necessary steps to flatten the curve and shared the phases of recovery from an emergency as outlined by FEMA.

Assistant City Manager/EOC Director Chaparyan provided an update regarding programs offered by the City and shared the Madrona Marsh and Sea Aire golf course have reopened. He elaborated on the five-stage reopening process outlined by the county

In response to a question from Councilmember Griffiths, City Manager Jackson clarified there are no guidelines in place at this time for businesses to reopen in addition to curbside pickup.

Councilmember Chen thanked staff for sending letters to county leadership and requested staff send a follow-up letter to the LA County Supervisors and Public Health stating that Torrance has met the guidelines regarding hospital and testing capacities for both state and county to enter Phase II.

Responding to Councilmember Goodrich's question regarding breweries, City Manager Jackson explained he would need clarification on the County's definitions but would express to the County the intent to treat them the same as restaurants.

MOTION: Councilmember Goodrich moved to accept and file. The motion was seconded by Councilmember Chen and passed by 6-0 vote.

8. **CONSENT CALENDAR** – None Scheduled

9. **ADMINISTRATIVE MATTERS**

9A. **APPOINTMENT TO FILL AT LARGE CITY COUNCIL VACANCY**

Recommendation of the City Clerk that City Council take action to fill a vacancy on the City Council by appointment from a list of qualified applicants.

City Clerk Poirier reminded Council the appointment process was similar to appointing to commissions.

Mayor Furey outlined the procedure for the appointment process.

Qualified applicants were introduced and briefly addressed the Council via telephone. The following applicants spoke: Heidi Ann Ashcraft, David Caceres, Andrew DeBlock, Charles Deemer, Jonathan Kaji, Edmund Keenan, Ruben Molina, Mario Obejas, G. Rick Marshall, Asam Sheikh, Mark Stephenson, and Bill Sutherland.

Councilmember Griffiths shared the qualifications he was seeking to fill the vacancy, particularly a candidate with Council experience.

Members of the public called in to voice their support for specific applicants

Councilmember Chen thanked the applicants for their desire to serve the city and expressed the importance of experience as a factor in his desired qualifications.

Mayor Furey invited nominations from the Council.

Mayor Furey nominated Heidi Ann Ashcraft; Councilmember Goodrich nominated Bill Sutherland; Councilmember Griffiths nominated Heidi Ann Ashcraft; Councilmember Chen nominated Jonathan Kaji; Councilmember Kalani nominated Heidi Ann Ashcraft.

A vote was taken, which resulted in four votes for Heidi Ann Ashcraft by Councilmember Goodrich, Councilmember Griffiths, Councilmember Kalani, and Mayor Furey and two votes for Jonathan Kaji by Councilmember Chen and Councilmember Mattucci.

City Clerk Poirier administered the oath of office to Heidi Ann Ashcraft.

The Council recessed at 8:43 p.m. and reconvened at 9:16 p.m., with Councilmember Ashcraft joining the rest of the Council via teleconference with a roll call vote.

9B. RESOLUTIONS FOR LIGHTING DISTRICT NO. 99-1 PROCEEDINGS TO LEVY ANNUAL ASSESSMENTS FOR FISCAL YEAR 2020-21

Recommendation of the Public Works Director that City Council:

- 1) Adopt a Resolution initiating proceedings to levy assessments within the City of Torrance Lighting District No. 99-1 for Fiscal Year 2020-21; and
- 2) Adopt a Resolution approving the Fiscal Year 2020-21 Engineer's Report for the City of Torrance Lighting District No. 99-1; and
- 3) Adopt a Resolution of Intention to levy assessments within the City of Torrance Lighting District No. 99-1 for Fiscal Year 2020-21 setting the date of June 9, 2020 for the public hearing.

Engineering Manager Finton reviewed the staff recommendation and supplemental material and reminded the public to report any streetlight outages to Southern California Edison.

Responding to a question from Councilmember Goodrich, Engineering Manager Finton explained the Engineer's Report established the amount of money split between costs that are eligible to public property and those that are not. He added the city is subsidizing the special benefit cost of \$61,852 in FY 20-21 and the 1999 Proposition 218 Ballot established the maximum assessment that could be assessed to private properties and cannot be increased without going back to ballot again.

Members of the public spoke.

MOTION: Councilmember Chen moved to adopt Resolution Nos. 2020-31, 2020-32, and 2020-33 as recommended by staff. The motion was seconded by Councilmember Goodrich and passed by 7-0 vote.

9C. MEASURE M MULTI-YEAR SUBREGIONAL FUNDING AGREEMENT

Recommendation of the Public Works Director that City Council:

- 1) Approve Measure M Multi-Year Subregional Funding Agreement #9200000000M460105 with the Los Angeles County Metropolitan Transportation Authority (LACMTA); and
- 2) Upon approval of Measure M Multi-Year Subregional Funding Agreement #9200000000M460105, appropriate \$5,027,800 of LACMTA Measure M Funds to the Torrance School Safety and Accessibility Program I-188, thereby establishing a total project budget of \$6,202,800.

Engineering Manager Furukawa reviewed the staff recommendation and explained the grant funding will be used for project improving alternative modes of transportation in the neighborhoods surrounding the following four Torrance Unified School District Elementary Schools over a period of four years: Fern Elementary, Seaside Elementary, Carr Elementary, and Anza Elementary.

In response to a question from Councilmember Mattucci, Engineering Manager Furukawa explained each individual project will come before Council to be awarded, but Council feedback on the design of the projects can be taken into consideration beforehand as long as it meets the parameters of the grant.

Councilmember Ashcraft questioned how the schools were chosen for the improvement areas.

Engineering Manager Furukawa explained Public Works wanted to spread the improvement areas out around the city and the initial application had six schools, one in each district, but Metro only funded the first four. The two remaining schools will be submitted next year, with a high likelihood of selection, but no guarantee.

MOTION: Councilmember Griffiths moved to concur with staff recommendation. The motion was seconded by Councilmember Ashcraft and passed by 7-0 vote.

9D. AMENDING TORRANCE MUNICIPAL CODE SECTION 16.2.6(A) RELATING TO RATIFICATION OF ORDERS ISSUED DURING STATE OF EMERGENCY

Recommendation of the City Attorney that City Council:

- 1) Adopt an Ordinance amending Torrance Municipal Code Section 16.2.6(a) relating to when rules, regulations, and orders of the City Manager, acting as the Director of Emergency Services, issued during a state of emergency must be ratified by the City Council; and
- 2) Approve an Ordinance Summary for publication.

City Attorney Sullivan introduced the item and provided a brief overview of the recommendation.

Responding to a question from Councilmember Goodrich, City Attorney Sullivan explained the Brown Act requires 72-hours' notice for a regular meeting, a special meeting can be called with 24-hours' notice by the Mayor or the majority of the Council, and an emergency meeting to deal with an emergency can be called on one hours' notice.

Councilmember Goodrich expressed his concern for the 7-day timeframe to ratify emergency orders as it could cause staff to scramble and he would prefer the earliest practicable time with the option to call a special meeting if the urgent need to ratify or reverse an emergency order arises.

In response to a question from Councilmember Griffiths, City Attorney Sullivan confirmed the Governor suspended portions of the Brown Act that require a publicly accessible location for teleconference meetings. Council currently would be able to call into a special meeting from an area not accessible to the public, but this may change in the future.

Councilmember Mattucci acknowledged the inconvenience of a special meeting for staff, but stated limits need to be set on the City Manager to unilaterally come up with orders that Council may or may not agree with. He shared his belief that seven days is generous since public orders affect the whole city.

Mayor Furey disagreed with Councilmember Mattucci and reiterated the Council/Manager form of government has checks and balances.

City Attorney Sullivan elaborated on the language of the ordinance for Councilmember Kalani and explained the difference between Public Orders and Administrative Orders.

Councilmember Goodrich asked Councilmember Mattucci if his concern is that there might be an emergency declaration that Council doesn't like and Council would have to step in and nullify it.

Councilmember Mattucci elaborated that seven days would allow Council to ratify, nullify, or change public orders in a timely manner and expressed his discomfort with public orders going out without Council discussion.

Councilmember Goodrich offered a compromise of 14 days, with the ability for Council to call an emergency session if something needed to be revoked immediately.

Councilmember Ashcraft asked if a special meeting would require a super majority, to which City Attorney Sullivan responded it would not.

Responding to a question from Councilmember Chen, City Manager Jackson clarified emergency public orders come before Council at the next Council meeting, but if there is a dark night, a special meeting or emergency meeting would have to be called to take action within the 7-day window. He confirmed with City Attorney Sullivan that a simple majority is required to take action at a special meeting if a Councilmember is out of town.

Councilmember Griffiths expressed his concern if a special meeting is called on a Council dark night that there's a chance there may not be a quorum if members of are out of town.

Members of the public spoke.

MOTION: Councilmember Mattucci moved to adopt Ordinance No. 3868 as amended and approve an ordinance summary for publication. The motion was seconded by Councilmember Kalani and passed by 5-2 vote, with Councilmember Goodrich and Mayor Furey voting no.

9E. ORDER OPENING TORRANCE BEACH

Recommendation of the City Attorney and City Manager that City Council adopt a Resolution repealing that portion of Public Order No. 2020-5 which closed Torrance Beach and issue Public Order No. 2020-9 opening Torrance Beach (*item was added on Tuesday, May 12, 2020*).

City Attorney Sullivan reviewed the staff recommendation and provided an overview of the timeline for beach closures and explained this resolution will reopen Torrance Beach and the ocean for active recreation as outlined by the Los Angeles County Department of Public Health. He noted Torrance Beach is not a county beach, but the county and the state have portions of it.

Councilmember Ashcraft questioned if the city has jurisdiction over the beach parking lot.

City Manager Jackson explained the lot is owned by the county and the city has jurisdiction over the street parking and another parking lot a block away from the beach.

In response to a question from Councilmember Griffiths, City Manager Jackson stated that while the public order in question included Miramar Park, the county has asked the city to not reopen Miramar Park at this time.

City Attorney Sullivan added the city has jurisdiction over whether to open or close the park.

Councilmember Griffiths requested this resolution include the reopening of Miramar Park and City-owned parking lot and stated a burden will fall on the neighborhood surrounding the beach with regards to parking if the parking lots remain closed.

Mayor Furey stated the opening of the beached was a negotiation brought about by the Beach Cities mayors. He shared mayors and city staff sat down with the Supervisor to discuss a phased reopening to present to the Public Health Department. To discourage people from coming to the beaches, the county wanted the parking lots to remain closed in an effort to adhere to social distancing guidelines by only allowing active recreation. He added Dr. Ferrer will make a public statement the following afternoon to provide more information about the beaches reopening.

Councilmember Griffiths clarified he did not want to go against county guidelines, but wanted to open the park since it is under the city's jurisdiction.

Councilmember Chen agreed that he would also like to reopen Miramar Park.

City Manager Jackson reiterated Miramar Park's closure was a request from the county, not a mandate.

Members of the public spoke.

Councilmember Mattucci urged looking into having the county reopen the parking lot and shared his dissatisfaction with the phased approach for reopening.

Responding to a question from Councilmember Kalani, City Attorney Sullivan confirmed reopening Miramar Park could be added to the resolution.

MOTION: Councilmember Kalani moved to adopt Resolution No. 2020-34 as amended. The motion was seconded by Councilmember Chen and passed by 7-0 vote.

10. **HEARINGS** – None Scheduled

11. **AGENCY AGENDAS** – None scheduled

12. **SECOND READING ORDINANCES** – None scheduled

13. **ORAL COMMUNICATIONS**

Members of the public spoke.

14. **CLOSED SESSION**

The City Council recessed to closed session at 11:18 p.m. to confer with the City Manager and the City Attorney on agenda matters listed under 14A) Threat To Public Services Or Facilities, 14B) Conference With Legal Counsel – Anticipated Litigation, 14C) Conference With Labor Negotiator, 14D) Real Property – Conference With Real Property Negotiator, pursuant to California Government Code §54957, Government Code §54956.9(d)(4), Government Code §54957.6, and Government Code § 54958.

The City Council reconvened in public session at 1:20 a.m. No formal action was taken on any item considered in closed session.

13. ORAL COMMUNICATIONS

Councilmember Griffiths and Councilmember Chen spoke.

Councilmember Mattucci requested Council concurrence for staff to research the potential for the City of Torrance to create a Public Health Department.

15. ADJOURNMENT

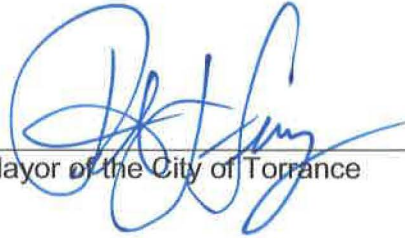
At 1:30 a.m., the City Council adjourned to Tuesday, May 19, 2020, at 5:30 p.m. for closed session, with the regular meeting commencing at 7:00 p.m. In compliance with Governor Newsom's Executive Order N-29-20, which suspended portions of the Brown Act, members of the Torrance City Council and staff will participate in this meeting via teleconference and other electronic means in our continuing effort to practice social distancing to reduce the spread of COVID-19. Members of the public are encouraged to watch the meeting via CitiCABLE Channel 3 (Spectrum) and Channel 31 (Frontier), Over-the-air on 25.2, streaming on TorranceCA.Gov, Facebook @ City of Torrance CA Government, and YouTube Channel TorranceCitiCABLE.

MOTION: Councilmember Chen moved to adjourn. The motion was seconded by Councilmember Griffiths and passed by 7-0 vote.

Attest:



Rebecca Poirier
City Clerk of the City of Torrance



Mayor of the City of Torrance

Approved on June 23, 2020