

**INDEX**  
**TORRANCE CITY COUNCIL – MAY 19, 2020**

<b><u>SUBJECT</u></b>	<b><u>PAGE</u></b>
<b><u>OPENING CEREMONIES</u></b>	
1. Call to Order/Roll Call	1
2. Flag Salute/Invocation	1
3. Affidavit of Posting/Waive Further Reading	1
4. Withdrawn, Deferred or Supplemental Items	1
5. Council Committee Meetings and Announcements	2
6. <b><u>COMMUNITY MATTERS</u></b>	
6A. Update on COVID-19	2
8. <b><u>CONSENT CALENDAR</u></b>	
8A. Approval of Minutes	3
8B. Approval of Five 2020 "Beat the Odds" Scholarships	3
8C. Meadow Park Parking District Maintenance Fee	3
9. <b><u>ADMINISTRATIVE MATTERS</u></b>	
9A. Re-Evaluation of Development Impact Fee (DIF) Program	3-5
9B. Introduce Ordinance Granting 10-Year Extension To Franchise Ordinance No. 3722	5
9C. Introduce Ordinance Granting 10-Year Extension To Franchise Ordinance No. 3723	5-6
9D. Adopt Resolution Adopting Records Retention Schedule	6
9E. Consider Extending or Repealing Public Order No. 2020-1	6-7
10. <b><u>HEARINGS</u></b>	8
11. <b><u>AGENCY AGENDAS</u></b>	8
12. <b><u>SECOND READING ORDINANCES</u></b>	
12A. Second and Final Reading of Ordinance No. 3868	8
13. <b><u>ORAL COMMUNICATIONS #2</u></b>	8
14. <b><u>CLOSED SESSION</u></b>	1, 8
15. <b><u>ADJOURNMENT</u></b>	9

At 12:20 a.m., the City Council adjourned to Tuesday, May 26, 2020 for a special meeting at 5:30 p.m. for closed session, with regular business commencing at 7:00 p.m. via 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 19, 2020 at 5:30 p.m. via teleconference.

**ROLL CALL**

Present: Councilmembers Ashcraft, 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

**14. CLOSED SESSION**

The City Council immediately recessed to closed session to confer with the City Manager and the City Attorney on agenda matters listed under 14A) Conference With Labor Negotiator, 14B) Conference With Legal Counsel – Anticipated Litigation (*item was modified on Friday, May 15, 2020*), 14C) Real Property – Conference With Real Property Negotiator, and 14D) Conference With Legal Counsel – Existing Litigation (*item was added on Friday, May 15, 2020*) pursuant to California Government Code §54957.6, Government Code §54956.9(d)(4), Government Code §54956.8, and Government Code § 54956.9(d)(1).

The City Council reconvened in public session at 7:00 p.m. No formal action was taken on any item considered in closed session.

**2. FLAG SALUTE/ INVOCATION**

The flag salute was led by Councilmember Kalani.

The non-sectarian invocation was given by Councilmember Mattucci.

**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 14, 2020 with a revised agenda posted on Friday, May 15, 2020.

**MOTION:** Councilmember Goodrich 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 7-0 vote.

**4. WITHDRAWN, DEFERRED OR SUPPLEMENTAL ITEMS**

Item 8C was withdrawn. Supplemental material available for items: 9A, 9E, and Oral Communications.

**5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS**

Mayor Furey reminded the public that the 2020 Census is still accepting submissions online, by phone, or by mail. To submit online visit 2020census.gov.

Councilmember Mattucci expressed his gratitude for the flyover by the Tiger Squadron on Saturday, May 16, keeping the spirit of the Armed Forces Day Parade alive.

**6. COMMUNITY MATTERS**

**6A. UPDATE ON COVID-19**

City Manager Jackson relayed the City is moving to the recovery phase of the emergency and that letters were sent to Los Angeles County Supervisors and the Director of the Los Angeles County Department of Public Health, encouraging them to consider the City's request to re-open the local economy in accordance with public health orders. The City's Economic Development team will be hosting webinars to assist businesses with developing their re-opening plan. He shared which parks and outdoor recreational facilities re-opened over the past week.

Fire Chief Serna provided an update regarding senior care facilities and the recovery and reconstitution focus of the Fire Department in response to COVID-19.

EOC Director/Assistant City Manager Chaparyan stated the city is monitoring all legislative efforts including potential financial support for local jurisdictions. He provided an update from the County's Economic Resiliency Task Force and their target re-opening date of July 4 and the recovery guidelines. He touched on the County's Roadmap to Recovery and the efforts being made by the City.

Councilmember Griffiths expressed his concerns that Los Angeles County is excluded from the State's loosening restrictions for having high numbers and the count isn't on a per capita basis, noting that Torrance is a suburban neighborhood and is different from the rest of the county

Councilwoman Ashcraft echoed Councilmember Griffiths' sentiments and suggested a meeting between the City Manager or Emergency Operations Director Chaparyan and Supervisor Hahn and the Health Department to discuss removing Torrance from the county statistics.

Mayor Furey stated the County Board of Supervisors is aware that the cities within the county are different and should be treated separately. He reiterated the County is operating under orders from the State and urged citizens to contact their assembly members and senators.

Councilmember Chen shared he called Supervisor Hahn's office and forwarded a letter sharing the data for Torrance's COVID-19 death rate.

Councilmember Mattucci agreed that while the situation is serious, the curve has been flattened and a July re-opening date is too far out and will negatively impact businesses and the budget.

Councilmember Kalani added that residents and businesses have shown they are responsible and businesses should be able to re-open with continued social distancing and mask wearing.

**8. CONSENT CALENDAR**

**8A. APPROVAL OF MINUTES**

Recommendation of the City Clerk that City Council approve the City Council minutes of April 14, 2020.

**8B. APPROVAL OF FIVE 2020 "BEAT THE ODDS" SCHOLARSHIPS**

Considered separately, see below.

**8C. MEADOW PARK PARKING DISTRICT MAINTENANCE FEE**

Recommendation of the Community Development Director that City Council approve the Meadow Park Parking District maintenance fee at \$50.19 per parking space for Fiscal Year 2020-21 to pay maintenance costs of the parking lots.

Item was withdrawn.

**MOTION:** Councilmember Griffiths moved to approve Consent Calendar Item 8A. The motion was seconded by Councilmember Kalani and passed by 7-0 vote.

Consent Calendar Item 8B was considered separately at this time.

**8B. APPROVE FIVE 2020 "BEAT THE ODDS" SCHOLARSHIPS**

Recommendation of the Torrance Youth Council and Community Services Director that City Council:

- 1) Appropriate funding in the amount of \$5,000 from the Youth Council Donation Account; and
- 2) Approve five 2020 "Beat the Odds" scholarships to be issued in the amount of \$1,000 each.

Councilmember Griffiths announced the money used for these scholarships is not tax payer money and comes from donations and Youth Council fundraisers.

A member of the public spoke.

**MOTION:** Councilmember Griffiths moved to approve Item 8B. The motion was seconded by Councilmember Chen and passed by 7-0 vote.

**9. ADMINISTRATIVE MATTERS**

**9A. RE-EVALUATION OF DEVELOPMENT IMPACT FEE (DIF) PROGRAM**

Recommendation of the City Manager and Community Development Director that City Council:

- 1) Receive public comments; and
- 2) Review the DIF Program updated Needs List; and
- 3) Review proposed DIF program options; and
- 4) Extend the term of the Consulting Service Agreement with David Taussig & Associates, Inc. (DTA) of Newport Beach, CA (C2019-039) for six months to November 20, 2020; and
- 5) Direct staff to prepare an Ordinance based on the preferred DIF program option for Council's consideration.

Planning Manager Lodan reviewed the staff recommendation, explaining that Development Impact Fees (DIF) are one-time assessments charged by local government agencies on private development. The funds are for specified public infrastructure improvements and provided an overview of the dates Torrance established its Needs List and fees.

Kuda Wekwete, Vice President of David Taussig and Associates, reviewed the fee justification study and rationale in determining the connection between the need for additional facilities and the growth resulting from new development, new development's proportionate share of the costs incurred, and the benefit of the fee to new development.

Responding to a question from Councilmember Kalani, Community Development Director Santana explained there is an option in the staff recommendation to start assessing Development Impact Fees on projects that involve a net increase of single family residences if the existing lot is proposed to be subdivided and fees for Accessory Dwelling Units (ADU) would only be assessed if the ADU is over 750 square feet.

Councilmember Goodrich requested to push the effective date of the fees out 120 or 180 days and add a grandfather clause in terms of single family residences and create different fee tiers for multi-family residences.

Community Development Director Santana explained with Council direction, staff could return with a depreciating percentage for projects with an increase in the number of units.

Councilmember Goodrich reiterated he would like to see a tier structure and asked city staff's ability to negotiate fees on larger projects, citing a recent development in Lomita.

Community Development Director Santana replied that an updated DIF would not preclude staff to negotiate the Development Impact Fees, if directed by Council.

Responding to questions from Councilmember Ashcraft, Community Development Director Santana shared the city has issued 71 building permits for ADUs since 2014 and there are currently 82 additional ADUs in plan check. He confirmed that a property can have up to three ADUs.

Councilmember Ashcraft voiced she would like to push the effective date out 90 days.

Councilmember Griffiths stated he would like to exclude new fees on developments that have already been submitted and shared his opposition to state guidelines regarding ADUs. He supported Option 3 of the staff recommendation where the DIF fee would be posed on a net increase to a single family residence.

Community Development Director Santana clarified no DIF fee would be assessed on an existing primary residence regardless of construction type and any ADUs would be viewed as a new unit, but state law exempts any DIF fees if the ADU is less than 750 square feet.

In response to a question from Councilmember Mattucci, Community Development Director Santana clarified the fee amounts that would be collected per unit for single family residential developments and multi-family residential developments.

Councilmember Mattucci added he would like to see a per-unit cost and shared his concerns that the fee amount would deter people from re-building and add new structures.

Community Development Director Santana explained that property taxes do offset some of the costs of projects but at the same rate as already developed properties. He further explained the intent of the impact fees is to assess the true impact on community services. In response to questions from Councilmember Mattucci, he clarified the differences between the two types of commercial properties listed in the staff report. General Commercial would refer to small retail and Commercial Center would be a property like Del Amo Fashion Center, or Downtown Torrance. Community Development Director Santana further explained one of the largest considerations the fee increase is attributed to is related to costs the city cannot control, such as undergrounding utility lines.

Members of the public spoke.

**MOTION:** Councilmember Goodrich moved to approve City Manager's recommendation with changes to include a grandfather clause, change the implementation from 60 days to 120 days, have three tiers on the multi-family residential, still allow staff to negotiate large developer impact fees, address unit number versus square footage for commercial or multi-unit developments, and include an option for a step-up fee schedule spread over five-year period. The motion was seconded by Councilmember Mattucci and passed by 7-0 vote.

**9B. INTRODUCE ORDINANCE GRANTING 10-YEAR EXTENSION TO FRANCHISE ORDINANCE NO. 3722**

Recommendation of the Community Development Director that City Council:

- 1) Open the item and take testimonial and documentary evidence; and
- 2) Adopt a Categorical Exemption under California Environmental Quality Act (CEQA) pursuant to Section 15301 (existing facilities) of the Guidelines implementing CEQA; and
- 3) Read by number and title only and introduce an Ordinance granting Crimson California Pipeline, LP a 10-year extension to existing Franchise Ordinance No. 3722 that expired on March 11, 2020; and
- 4) Approve an Ordinance Summary for publication.

Planning Manager Lodan reviewed the staff recommendation.

**MOTION:** Councilmember Chen moved to adopt ordinance as recommended by staff. The motion was seconded by Councilmember Ashcraft and passed by 7-0 vote.

**MOTION:** Councilmember Chen moved to adopt Ordinance No. 3869 and approve ordinance summary for publication. The motion was seconded by Councilmember Ashcraft and passed by 7-0 vote.

**9C. INTRODUCE ORDINANCE GRANTING 10-YEAR EXTENSION TO FRANCHISE ORDINANCE NO. 3723**

Recommendation of the Community Development Director that City Council:

- 1) Open the item and take testimonial and documentary evidence; and
- 2) Adopt a Categorical Exemption under California Environmental Quality Act (CEQA) pursuant to Section 15301 (existing facilities) of the Guidelines implementing CEQA; and
- 3) Read by number and title only and introduce an ORDINANCE granting Crimson California Pipeline, LP a 10-year extension to existing Franchise Ordinance No. 3723 that expired on March 11, 2020; and
- 4) Approve an Ordinance Summary for publication.

Planning Manager Lodan reviewed the staff recommendation.

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

**MOTION:** Councilmember Chen moved to adopt Ordinance No. 3870 and approve ordinance summary for publication. The motion was seconded by Councilmember Griffiths and passed by 7-0 vote

**9D. ADOPT RESOLUTION ADOPTING THE RECORDS RETENTION SCHEDULE**

Recommendation of the City Clerk that City Council adopt a Resolution adopting the Records Retention Schedule and repealing Resolution No. 2017-41 in its entirety.

City Clerk Poirier introduced the item.

A member of the public spoke.

City Attorney Sullivan added the City Clerk is in full compliance with the law regarding records destruction and retention.

Responding to a question from Councilmember Goodrich regarding if the retention of emails is ten years, City Clerk Poirier answered no and added the city is considering a policy on emails that hasn't been presented to Council yet.

Councilmember Mattucci commended the City Clerk for digitizing the City's record-keeping and asked about the availability of scanned, indexed PDF files.

City Clerk Poirier stated her office is working on scanning documents into Laserfiche, with permanent documents such as ordinances, minutes, and resolutions already imported.

**MOTION:** Councilmember Mattucci moved to adopt Resolution No. 2020-35. The motion was seconded by Councilmember Kalani and passed by 7-0 vote.

The City Council recessed from 9:02 p.m. to 9:16 p.m.

**9E. CONSIDER EXTENDING OR REPEALING PUBLIC ORDER NO. 2020-1**

- 1) Recommendation of the City Attorney and City Manager that City Council:
- 2) Consider extending Public Order No. 2020-1 (An Order Closing All Movie Theaters, Live Performance Venues, Bowling Alleys, Arcades, Gyms and Fitness Centers, Bars and Nightclubs That Do Not Serve Food and Prohibiting All Restaurants from serving Food for Consumption on Premises; Imposing Restrictions on Evictions and Shut-off of Utilities) or portions thereof; or
- 3) Consider repealing Public Order No. 2020-1 (An Order Closing All Movie Theaters, Live Performance Venues, Bowling Alleys, Arcades, Gyms and Fitness Centers, Bars and Nightclubs That Do Not Serve Food and Prohibiting All Restaurants from serving Food for Consumption on Premises; Imposing Restrictions on Evictions and Shut-off of Utilities) or portions thereof; thereby allowing the City to follow Los Angeles County Public Health Safer at Home Order on these matters; and/or allowing the City to follow Governor Newsom's Executive Order N-37-20 on eviction matters; and
- 4) Adopt a Resolution repealing Sections 1 through 8 and extending Sections 9 and 10 of Public Order No. 2020-1 until a date certain. *(Item was modified on Friday, May 15, 2020)*

City Attorney Sullivan reviewed the staff recommendation and elaborated on the Public Orders and compared them with the State and County's orders. He noted the County's authority over certain countywide jurisdictions, but the Board of Supervisor's resolution extending the moratorium on evictions does not apply to Torrance as an incorporated city.

Members of the public spoke.

Councilmember Ashcraft stated Torrance has been following the guidelines and residents have been wearing masks and practicing social distancing and acknowledged the balance needed between health and economy.

Councilmember Chen requested Council concurrence to ask staff to set up a meeting with respective county and state contacts to discuss Torrance's data regarding deaths and hospital capacity and that Torrance has met the state's guidelines for re-opening.

Mayor Furey thanked Councilmember Chen for the letter sent to the county and encouraged him to continue to reach out to other elected officials.

Councilmember Griffiths agreed there needs to be a balance between the risk of COVID-19 and the risk of financial ruin. He touched on the letters sent to county representatives and their lack of response. He echoed the sentiments of the calls received that Torrance businesses should be allowed to re-open safely and responsibly in defiance of the county and asked for support of a motion to do so.

Councilmember Kalani shared she has spoken to various business owners and agreed with Councilmember Griffiths about re-opening and would support his motion.

Councilmember Mattucci asked to hold an emergency meeting during the Council dark night on Tuesday, May 26 and concurred with Councilmember Griffiths' suggestion to defy the county, state, and federal government.

City Attorney Sullivan reminded Council they cannot take action on an item not on the posted agenda and advised against making a motion to take action against the county's orders. He suggested bringing it back June 2 or calling a special meeting as recommended by Councilmember Mattucci to avoid a violation of the Brown Act.

Councilmember Goodrich shared his concerns with defying the county and suggested setting up a meeting with the County Supervisors.

In response to a question from Councilmember Kalani, City Attorney Sullivan provided an overview of the specifics that would be affected by repealing Sections 1-8 and extending Sections 9 and 10 of Public Order 2020-1.

**MOTION:** Councilmember Goodrich offered a substitute motion to repeal the county Order Sections 1-10 with the exception of maintaining social distancing practices for pick-up that are separated from the main dining area or area of congregation and with the exception of providing no-touch disposal receptacles to employees. The motion died for lack of a second.

**MOTION:** Councilmember Chen moved to repeal Public Order No. 2020-1 in its entirety. The motion was seconded by Councilmember Mattucci and passed by 7-0 vote.



10. **HEARINGS** – None Scheduled

11. **AGENCY AGENDAS** – None scheduled

12. **SECOND READING ORDINANCES**

12A. **SECOND AND FINAL READING OF ORDINANCE NO. 3868**

Second and Final reading of Ordinance No. 3868 amending the Torrance Municipal Code Section 16.2.6(a) regarding when orders issued by the City Manager acting as the Director of Public Services must be ratified by the City Council.

**MOTION:** Councilmember Chen moved to adopt Ordinance No. 3868. The motion was seconded by Councilmember Griffiths and passed by 5-2 vote, with Councilmember Goodrich and Mayor Furey voting no.

13. **ORAL COMMUNICATIONS**

Members of the public spoke.

14. **CLOSED SESSION**

The City Council recessed to closed session at 11:12 p.m. to confer with the City Manager and the City Attorney on agenda matters listed under 14A) Conference With Labor Negotiator, 14B) Conference With Legal Counsel – Anticipated Litigation (*item was modified on Friday, May 15, 2020*), 14C) Real Property – Conference With Real Property Negotiator, and 14D) Conference With Legal Counsel – Existing Litigation (*item was added on Friday, May 15, 2020*) pursuant to California Government Code §54957.6, Government Code §54956.9(d)(4), Government Code §54956.8, and Government Code § 54956.9(d)(1).

The City Council reconvened in public session at 11:39 p.m. No formal action was taken on any item considered in closed session.

13. **ORAL COMMUNICATIONS**

Councilmember Mattucci suggested holding special meeting on Tuesday, May 26, 2020.

Councilmember Chen requested the City Attorney provide several options for Council to consider at the special meeting, with a concentration on litigation.

Councilmember Goodrich asked for clarification from the City Attorney about the outcome of passing a resolution re-opening businesses against county guidelines and received confirmation that businesses would still be subject to fines.

Councilmember Griffiths reiterated the importance of discussion regarding taking action by either directing the City Attorney to file legal action or to file separate orders that defy the county. He requested and received Council concurrence to call a special meeting on Tuesday, May 26, 2020.

Councilmember Kalani clarified she was not suggesting a motion outside of what was being discussed earlier in the meeting.

Mayor Furey spoke.

**15. ADJOURNMENT**

At 12:20 a.m., the City Council adjourned to Tuesday for a special meeting on May 26, 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. The next regular meeting will be Tuesday, June 2, 2020 at 5:30 p.m. for closed session, with the regular meeting commencing at 7:00 p.m.

**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