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TORRANCE CITY COUNCIL – JUNE 28, 2016

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At 11:03 p.m., the City Council adjourned to Tuesday, July 12, 2016 at 5:30 p.m. for a closed session, with the regular meeting commencing at 7:00 p.m. in the Council Chamber. Tuesday, July 5, 2016 will be a City Council dark night.

**MINUTES OF AN ADJOURNED REGULAR
MEETING OF THE TORRANCE CITY COUNCIL**

1. CALL TO ORDER

The Torrance City Council convened in an adjourned regular session at 5:30 p.m. on Tuesday, June 28, 2016 in the Council Chamber at Torrance City Hall.

ROLL CALL

Present: Councilmembers Ashcraft, Barnett, Goodrich, Griffiths, Rizzo, Weideman and Mayor Furey.

Absent: None.

Present: City Manager Jackson, Assistant City Manager Giordano, Deputy City Attorney Strader, City Clerk Poirier and other staff representatives.

Agenda Item 14 was considered out of order at this time.

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 18A) Conference with Legal Counsel – Anticipated Litigation, and 18B) Real Property – Conference with Real Property Negotiator, pursuant to California Government Code § 54956.9(d)(4) and § 54956.8.

The City Council reconvened at 7:01 p.m. with all members present. No formal action was taken on any matter considered in closed session.

2. FLAG SALUTE/ INVOCATION

The flag salute was led by Councilmember Goodrich.

The non-sectarian invocation was given by Councilmember Griffiths.

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 on Thursday, June 23, 2016.

MOTION: Councilmember Rizzo moved that after the City Clerk has read aloud the number and title to 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 Weideman and passed by unanimous vote.

4. WITHDRAWN, DEFERRED OR SUPPLEMENTAL ITEMS

Item 10A was continued to July 19, 2016 City Council meeting. Supplemental material was available for Items 8D, 8H, 8I, 8K and 9C.

Councilmember Weideman announced that last Thursday evening, subsequent to the posting of the agenda, the City received information that the South Bay Cities Council of Governments will be considering an item regarding Measure R2 and he was requesting that this matter be added to the agenda as an urgency item because he requires immediate instruction from the Council regarding the position he should take. In order to take action on a matter not of the agenda, the California Government Code requires a determination by two-thirds vote of the Council that immediate action is necessary and that the need to take action arose subsequent to the posting of the agenda.

MOTION: Councilmember Weideman moved to add this urgency item to the agenda pursuant to California Government Code § 54954.2(b). The motion was seconded by Barnett and passed by unanimous vote.

Councilmember Weideman requested direction from the Council as to how he should vote at the South Bay Cities Council of Governments meeting on Thursday, June 30, with regard to Measure R2, which proposes a continuing sales tax for transportation improvements.

Public Works Director Beste advised that staff does not support Measure R2 as currently proposed because Torrance and the South Bay region would not receive their fair share of the funding. He reported that staff has been advocating for a higher percentage of the funding to go for local roads and for the extension of the Green Line, which under the current proposal will not happen for at least 20 years. He noted that the City of Los Angeles is slated to receive over 50% of the funding for major capital projects in the first decade, including projects that were not even on the books until a month ago.

Mayor Furey and Councilmember Rizzo noted their opposition to this measure in its current form.

Responding to questions from the Council, Public Works Director Beste explained that Measure R2 provides for a local return of 17%, while staff would like to see at least 20% and in addition, staff believes the formula for calculating local return, which is based solely on population, should be changed to take into account the amount of sales tax generated and the miles of roadway to be maintained.

MOTION: Councilmember Weideman moved that the City oppose Measure R2 at the South Bay Cities Council of Government meeting on June 30. The motion was seconded by Councilmember Goodrich and passed by unanimous vote.

Councilmember Weideman noted that he was given legal advice that he could vote his conscience on this matter but wanted to allow his colleagues to share their views.

5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS

Mayor Furey requested that the meeting be adjourned in memory of former City employee Jerrey Emerson, who passed away on June 20, 2016 at the age of 80.

Mayor Furey reported on his attendance at the 84th U.S. Conference of Mayors in Indianapolis, Indiana the past weekend, noting that he met with 214 mayors from around the country and discussed common issues facing municipalities, including veteran homelessness and economic development. He noted that he took a side trip to the corporate headquarters of Simon Company, the owners of Del Amo Fashion Center, and they indicated that they were very happy with the success of the mall and have plans for more improvements.

Councilmember Griffiths reported that he and Councilmember Ashcraft attended the League of California Cities Executive Forum last Wednesday and Thursday, which was attended by mayors and city councilmembers from across California, noting that he attended seminars on various topics, including labor negotiation protocols, city finance, team work and ballot initiatives.

Councilmember Ashcraft reported that she also attended various seminars at the League of California Cities Executive Forum and learned that Torrance is in the forefront in several areas such as finance and economic development.

Councilmember Rizzo announced that the 2016 Fourth of July Fireworks Show will be held in the Civic Center and viewing areas will be set up between the police station and the courthouse, as well as the Toyota Sports Complex, with additional information available at www.torranceca.gov/fireworks or 310-618-2930.

Police Chief Matsuda provided an update on the coyote issue. He reported that four target areas have been identified where selective trapping efforts have been focused and that a coyote was trapped at the Madrona Marsh sump two weeks ago and L.A. County Department of Agriculture removed a coyote from the Walteria sump yesterday. He advised that staff met with the Friends of Madrona Marsh last Thursday to discuss trapping inside the marsh because it appears to be supporting habituated coyotes that are impacting neighborhoods to the southwest; that this morning approximately 10 people protested trapping efforts at the marsh, which was covered by local media; and that while he understands their opposition, staff believes this is the best opportunity to protect pets and preserve public safety. He explained that the short-term goal is to relieve the immediate impact of habituated coyotes through selective trapping in targeted areas, however in order to achieve a long-term sustainable solution, residents must be educated on how to change their behavior in order coexist with coyotes and keep pets safe. He noted that neighborhood education efforts have also been increased, including early morning bike patrols, the distribution of door-hangers and the posting of informational signs at impacted parks and the Madrona Marsh.

Fire Chief Serna offered a reminder that all fireworks are illegal in the City of Torrance. He reported that fireworks patrols will be conducted throughout the 4th of July holiday weekend and those caught with fireworks could be liable for costs associated with the safe disposal of the fireworks and expenses incurred in the investigation of a hazardous materials incident.

Councilmember Goodrich announced that he will be hosting an educational workshop on coyotes on Thursday, June 30, at 7:00 p.m. at the Walteria Meeting Room, with details at www.TimGoodrich.com/coyoteworkshop.

6. COMMUNITY MATTERS

6A. PROCLAMATION RE "PARKS AND RECREATION MONTH"

Mayor Furey presented a proclamation declaring the month of July 2016 as "Parks and Recreation Month" in the City of Torrance to Karen Greenberg, chair of the Parks and Recreation Commission.

7. ORAL COMMUNICATIONS #1

The following 10 people spoke: Jeff Dill, Suzan Huber, Bobbie Snyder, Melanie Cohen, Arnold Goldstein, Bob Habel, Pam Combar, Jacqueline Gertner, Dave Jamison, and Mark Stephenson.

8. CONSENT CALENDAR

8A. PURCHASE ORDER FOR DATA NETWORKING EQUIPMENT

Considered separately, see page 6.

8B. SUBSIDY OF RENTAL FEES FOR KEN MILLER RECREATION CENTER

Recommendation of the City Manager that City Council approve the subsidy of rental fees for the use of the Ken Miller Recreation Center in the amount of \$705.00 for the Torrance Artists Guild to host their monthly meetings from July 1, 2016 to June 30, 2017.

8C. SUBSIDY OF RENTAL FEES FOR TORRANCE ART MUSEUM

Recommendation of the City Manager that City Council approve the subsidy of rental fees for the use of the Torrance Art Museum in the amount of \$600.00 for the Salvation Army Torrance Corps to host their Annual Art Splendor on July 30, 2016.

8D. SUBSIDY OF RENTAL FEES FOR USE OF KEN MILLER RECREATION CENTER

Considered separately, see page 6.

8E. AGREEMENT WITH TORRANCE CULTURAL ARTS FOUNDATION

Recommendation of the General Services Director that City Council approve the Torrance Cultural Arts Foundation agreement to promote the Torrance Cultural Arts Center in the amount not to exceed \$169,400 for a period commencing July 1, 2016 and expiring June 30, 2017.

8F. CONTRACT AMENDMENT RE TORRANCE CROSSING GUARD PROGRAM

Recommendation of the Chief of Police that City Council approve a contract amendment with All City Management Services, Inc. of Santa Fe Springs, CA (C2015-119) to extend the term for three years from July 1, 2016 to June 30, 2019 and increase the contract by \$232,350 for a new not to exceed amount of \$309,800 for supplemental staffing of the Torrance Crossing Guard program.

8G. FEE AGREEMENT RE LEGAL SERVICES

Recommendation of the City Attorney that City Council approve a fee agreement with Liebert Cassidy Whitmore of Los Angeles, CA to provide legal services pertaining to personnel matter #A16-000166, in the amount of \$7,000.

8H. PURCHASE OF EXCESS WORKERS' COMPENSATION INSURANCE

Recommendation of the Finance Director that City Council approve the purchase of excess Workers' Compensation insurance from CSAC Excess Insurance Authority of Folsom, CA through Alliant Insurance Services of Newport Beach, CA at a premium of up to \$210,875 for the July 1, 2016 to July 1, 2017 policy period.

8I. PURCHASE OF PROPERTY INSURANCE

Considered separately, see page 6.

8J. PURCHASE OF EXCESS LIABILITY INSURANCE

Recommendation of the Finance Director that City Council approve the purchase of two-layers of excess liability insurance through Alliant Insurance Services of Newport Beach, CA, at a total premium of \$231,830.40 for the period of July 1, 2016 to July 1, 2017.

8K. CONTRACT FOR MADRONA MARSH NATURE CENTER IMPROVEMENTS

Recommendation of the General Services Director and Community Services Director that City Council:

- 1) Award a contract to MKM Services, Inc. of Woodland Hills, CA for \$358,189 with a 5% contingency of \$17,909.45 for the Madrona Marsh Nature Center and Preserve Improvements (B2016-21); and
- 2) Approve a 10% project management fee of \$35,818.90.

8L. SUBMISSION OF REQUIRED CIVIL RIGHTS PROGRAM REPORTS

Recommendation of the Transit Director that City Council approve the submission of the Transit Department's Title VI and Equal Employment Opportunity Program Reports as required by the Federal Transit Administration.

8M. AGREEMENT RE FEDERAL TRANSIT ADMINISTRATION GRANT FUNDS

Recommendation of the Transit Director that City Council approve a federally required agreement between the City of Redondo Beach and the City of Torrance for the use of Federal Transit Administration grant funds towards the purchase of a Bus Operator Training Simulator in the amount of \$333,334 and appropriate the funds to the project upon approval.

8N. PURCHASE ORDER FOR COMPUTER SOFTWARE

Recommendation of the Communications and Information Technology Director and Police Chief that City Council award a purchase order to En Pointe Technologies Sales, Inc. of Gardena, CA (RFQ 2017-169) for Microsoft and other computer software on an as-requested basis for an amount not to exceed \$162,202.10 for the period of July 1, 2016 to June 30, 2018.

8O. AGREEMENT RE TELEPHONE SYSTEM TECHNICAL SUPPORT/MAINTENANCE

Recommendation of the Communications & Information Technology Director that City Council award a contract services agreement to Digital Telecommunications Corporation of Santa Clarita, CA in the amount of \$271,480 for telephone system technical support and maintenance from July 1, 2016 through June 30, 2019.

MOTION: Councilmember Ashcraft moved for the approval of Consent Calendar Items 8B, 8C, 8E, 8F, 8G, 8H, 8J, 8K, 8L, 8M, 8N and 8O. The motion was seconded by Councilmember Goodrich and passed by unanimous vote.

Consent Calendar Items 8A, 8D and 8I were considered separately at this time.

8A. PURCHASE ORDER FOR DATA NETWORKING EQUIPMENT

Recommendation of the Community Services Director that City Council authorize a purchase order to Califa Group of San Mateo, CA in the amount of \$83,678.72 for the purchase of data networking equipment.

Councilmember Griffiths reported that he voted against this item when it was originally considered in February 2016 and continues to be opposed.

MOTION: Councilmember Ashcraft moved to approve the purchase order. The motion was seconded by Councilmember Barnett and passed by a 6-1 vote, with Councilmember Griffiths voting no.

8D. RENTAL FEES FOR USE OF KEN MILLER RECREATION CENTER

Recommendation of the City Manager that City Council approve the subsidy of rental fees for the use of the Ken Miller Recreation Center in the amount of \$533.00 for the Torrance Rose Float Association to host their Luau Party on August 06, 2016.

Councilmember Weideman noted that according to the staff report, \$10,000 was budgeted for subsidizing fees for community events in the 2015-16 budget and of this \$4,913.35 remains. With the concurrence of Council, he requested that staff return with an item to consider carrying this amount forward for the 2016-17 fiscal year.

MOTION: Councilmember Weideman moved to approve the subsidy. The motion was seconded by Councilmember Ashcraft and passed by unanimous vote.

8I. PURCHASE OF PROPERTY INSURANCE

Recommendation of the Finance Director that City Council approve the purchase of property insurance, through Alliant Insurance Services of Newport Beach, CA, at a premium of \$176,805.33 for the period of July 1, 2016 to July 1, 2017.

At Councilmember Goodrich's request, Risk Manager Connaughton provided information about the City's loss history and confirmed that per the supplemental material, it would cost approximately \$35,000 to reduce the deductible from \$150,000 to \$100,000.

MOTION: Councilmember Rizzo moved to approve the purchase of property insurance. The motion was seconded by Councilmember Ashcraft and passed by unanimous vote.

9. ADMINISTRATIVE MATTERS

9A. PURCHASE ORDER FOR COMPUTER EQUIPMENT AND SOFTWARE

Recommendation of the Communications and Information Technology Director that City Council award a purchase order to Dell Marketing L.P. of Round Rock, TX for computer equipment and software on an as-requested basis in an amount not to exceed \$575,785.17 for the period of July 1, 2016 to June 30, 2018.

William Nguyen, CIT Department, reviewed the staff recommendation.

MOTION: Councilmember Rizzo moved to concur with the staff recommendation. The motion was seconded by Councilmember Weideman and passed by unanimous vote.

9B. CONVERSION OF UNUSED GROUNDWATER PUMPING RIGHTS TO STORAGE

Recommendation of the Public Works Director that City Council:

- 1) Authorize an additional expenditure commitment authorization of \$281,000 from the Water Enterprise operating budget for the conversion of approximately 3,075 acre feet of unused groundwater pumping rights to storage in fiscal 2015-16; and
- 2) Authorize the payment to the Water Replenishment District of Southern California (WRD) in the amount of \$870,225 for the payment of the groundwater replenishment assessment for the conversion to storage for fiscal 2015-16.

Public Works Director Beste reviewed the staff recommendation.

MOTION: Councilmember Rizzo moved to concur with the staff recommendation. The motion was seconded by Councilmember Weideman and passed by unanimous vote.

9C. DRAFT ORDINANCE REGULATING VEGETATION IN THE HILLSIDE OVERLAY DISTRICT

Recommendation of the Community Development Director that City Council provide direction on decision points regarding the Draft View Equity Ordinance and direct staff to return with a revised Ordinance.

With the aid of slides, Deputy Community Development Director Cessna provided an overview of the Draft View Equity Ordinance to regulate vegetation in the Hillside Overlay District, which was based on the Rolling Hills Estates ordinance. She reviewed supplemental material clarifying certain aspects of the ordinance.

Mayor Furey noted that he has been advocating for an ordinance regulating view-blocking vegetation for the past four years and was pleased that it has progressed to this point. He commended staff and the Community Planning and Design Committee for their efforts in drafting the ordinance. With regard to the ordinance, he recommended that staff be responsible for mailing notices to neighbors instead of the view seeker to ensure that it's done properly.

Councilmember Griffiths, chair of the Community Planning and Design Committee, noted that the committee had requested information about fees and a phased implementation process, but this was not included in the staff report.

Deputy Community Development Director Cessna reported that it was not possible to conduct a fee study until the ordinance becomes more defined.

Councilmember Griffiths indicated that he was not in favor of combining the fee study with the fee study for the Historic Preservation Program as staff has proposed because it could cause undue delay. He recommended that there be some financial penalty if the vegetation owner refuses to participate in the process, noting that as proposed, all the financial burden is on the view seeker.

Councilmember Goodrich, Community Planning and Design Committee member, expressed concerns that a neighbor may plant "spite trees" after an agreement has been reached thereby adding to the cost for the view seeker, who must pay for all trimming and maintenance, and recommended that a provision be included so that the vegetation owner would bear some of this cost. He also expressed concerns that there was nothing to prevent the vegetation owner

from selecting the most expensive contractor to do the trimming, which could make it cost prohibitive for the view seeker.

In response to Councilmember Goodrich's inquiry, Deputy Community Development Director Cessna explained that staff omitted the provision in the Rolling Hills Estates ordinance whereby staff makes a site visit and offers an advisory opinion because of the demand on staff time, however, if the Council decides to include this provision, additional staff probably would not be needed beyond the additional staffing requested as part of this item.

City Manager Jackson cautioned that staff could be called as a witness if the matter goes to litigation, which would involve additional staff time, and Councilmember Goodrich suggested the possibility of requiring that the City be reimbursed if this occurs.

Deputy City Attorney Strader advised that there also might be the added expense of a certified arborist to act as a consultant for staff.

Councilmember Ashcraft, Community Planning and Design Committee member, related her belief that that the vegetation owner should bear some of the financial responsibility rather than placing all of the burden on the view seeker. She noted her agreement with staff's recommendation that the view seeker be allowed to make a view claim from only one area of their property.

In response to Councilmember Ashcraft's inquiry, Deputy Community Development Director Cessna explained that as proposed, the date the view would be established is the date the property is acquired or 15 years prior to the adoption of the ordinance, whatever is more recent, but there was some discussion about leaving the date open.

Deputy City Attorney Strader advised that the ordinance should include a definition of the date when the view is established.

Councilmember Ashcraft asked about vegetation growing in pots, and Community Development Director Gibson advised against including vegetation in pots because they can be moved and could create enforcement issues.

Councilmember Weideman noted that efforts to address view blocking vegetation go back to the 1970s; reported that he observed many instances of the deliberate blocking of views by vegetation during his 7 years on the Planning Commission; and voiced his opinion that the time has come to finally address this issue.

Referring to the requirement that vegetation be a minimum of 6 feet tall for a view claim to be filed, Councilmember Rizzo recommended that this be reconsidered since vegetation well below this height could block views in terraced areas.

The City Council recessed from 9:09 p.m. to 9:22 p.m.

Judy English voiced support for the proposed ordinance, but recommended that staff meet with the parties involved as soon as possible after a claim has been filed and offer an advisory opinion because many times that's all it takes to resolve the matter according to city staff in Rolling Hills Estates.

Patricia McKaig stressed the need for a clearly defined process; agreed that staff should become involved early in the process in an advisory capacity; and recommended that the vegetation owner share in the cost of the trimming.

Jeanette Parker requested clarification as to whether City trees are included in the ordinance, and Community Development Director Gibson explained that the ordinance deals only with trees on private property as the committee felt that City trees should be addressed separately.

Shirley McNair expressed concerns that view-blocking eucalyptus trees planted by the City are not covered by the proposed ordinance.

Judy Brunetti, Riviera Homeowners Association, voiced concerns that the proposed ordinance omits a key component of the Rolling Hills Estates ordinance, which provides that a staff member visit the view site and issue an advisory opinion. She reported that only three view equity cases have gone as far as mediation and none have gone to litigation since the Rolling Hills Estates Ordinance went into effect in 2010.

Cindy Constantino recommended that the requirement that vegetation be at least 6-feet tall for a view claim to be filed be eliminated and that staff be involved in the resolution process.

Amy Josefek voiced her opinion that it was unrealistic to expect people to be able to resolve their differences without involving someone in authority and urged that City staff be included in the process.

Jindra Wallner read a letter submitted for the record about how her property has been impacted by view blocking trees.

Leonor Vander Pluym recommended that the ordinance contain detailed guidelines that clearly spell out what is and is not allowed so people don't have to go to arbitration.

Larry Bailey expressed concerns that neighbors cut down trees next to his property but did not remove the trimmings thereby creating a fire hazard.

Jerry Zamora recommended that the privacy aspect of vegetation also be considered so that both views and privacy are maintained.

Robert Amador suggested that one way to "put teeth" in the ordinance and encourage cooperation would be to require that the losing party pay the cost of arbitration, mediation and staff time.

Jing Strobile urged that standards for vegetation be included in the ordinance with consequences for non-compliance in order to avoid the time-consuming process of mediation and arbitration.

Jehan Mir asserted that the provision regarding the date the view is established is unconstitutional because of a U.S. Supreme Court decision, which prohibits ordinances with retroactive application, and that shifting the burden of the cost of mediation to the vegetation owner is also unconstitutional because it does not provide for due process.

Greg Diете voiced support for the ordinance, relating his experience as a realtor that views can add hundreds of thousands of dollars to a property's value.

Steven Kasakitas recommended that the Council consider limiting the height of trees to the height of the house on that particular property and eliminating the 6-foot minimum height requirement for filing a view equity claim since on a terraced property like his, a six-foot hedge would create significant view blockage.

David Henseler voiced his opinion that the ordinance should apply to everyone.

Monica Bhatt recommended that the ordinance be revised so that the City bears some of the responsibility for enforcement once an agreement has been reached.

Luan-Ping Wu voiced her opinion that the date the view is established should be date when the property was purchased even if it was 30 years ago or the date a view seeker can document the view with photographic evidence. She called for the elimination of the six-foot minimum requirement for a view equity claim.

Hope Witkowsky recommended that vegetation be regulated in the same manner as new construction in the Hillside Overlay District. She related her belief that it will make it easier to gain neighbors' cooperation just by having the ordinance in place.

Bob Hoffman voiced support for the proposed ordinance and reviewed recommended revisions per a letter previously submitted (supplemental material). He urged that view seekers not be limited to a view claim from only one area of their property since many residents have views from multiple vantage points.

Debbie Reed emphasized that she did not want her homeowners' association to be able to act on her behalf with regard to vegetation issues.

Peter Verenkoff expressed appreciation for all the work done on the proposed ordinance, but indicated that his primary concern was 80-foot tall City trees that are blocking his view and urged that something be done about this issue.

Julian Chasen recommended that a preamble be added to the ordinance emphasizing the aesthetic and monetary value of views for homeowners so the motivation for the ordinance will be clear. He suggested that educational material about trees be posted on the City's website so homeowners will know what trees are appropriate and also suggested that the 500-foot notification area could be cut in half by eliminating downhill neighbors.

Jean Adelman urged that the ordinance be revised to follow the Rolling Hills model, which includes the involvement of city staff in an advisory capacity, relating her belief that this is the reason they have been able to resolve vegetation issues without resorting to litigation.

Thomas Fallo asserted that the reason the Hillside Overlay process has been so effective is because staff's opinion carries a lot of weight and recommended that a similar process be used to regulate vegetation.

Mari Arroyo urged that residents' right to privacy also be considered, explaining that she has had problems with an uphill neighbor who spies on her and her family.

Jim Delurgio contended that the Hillside Ordinance is vague, poorly understood and arbitrarily enforced and expressed concerns that the City was now considering imposing an

equally vague ordinance, while exempting itself from all liability, responsibility and costs. He suggested that the ordinance be put to a vote of property owners who would be affected by it.

Igor Nastaskin voiced support for the ordinance, but related his belief that staff needs to be involved in the resolution process.

As no one else wished to be heard, discussion continued among the Council.

Councilmember Weideman offered his opinion that Planning staff should make an assessment of view blockage and offer an advisory opinion; that claims should not be limited to only one viewing area; that the 6-foot minimum vegetation height for view claims should be eliminated; that view seekers should not have to bear all of the cost; and that the City should handle the mailing of notification to neighbors. He proposed adding a preamble clarifying the purpose of the ordinance as a speaker had suggested.

Councilmember Ashcraft agreed that staff needs to be involved in the process and indicated that she favored limiting claims to one viewing area; eliminating the 6-foot minimum height-requirement; and having the City handle notification process. She requested that staff find an equitable way to share the costs between the view seeker and the vegetation owner, with the view seeker paying the majority. She noted that the fact that some vegetation owners cannot afford to trim their trees will also have to be considered.

In response to Councilmember Griffiths' inquiry, Community Development Director Gibson confirmed that the CEQA (California Environmental Quality Act) review process must be completed before the ordinance can be adopted and estimated that the process would take 2-3 months.

After staff clarified that as proposed, view seekers would be able to file a claim for each property with vegetation blocking their view, Councilmember Griffiths indicated that he was inclined to support the limitation of one viewing area per claim. He suggested that staff provide the public with an estimate of the cost range for mediation, arbitration and litigation so they will have a better understanding of the potential costs, and Community Development Director Gibson agreed to include this information in a handout to be prepared about the ordinance.

Councilmember Griffiths recommended that penalties for non-participation in the process be emphasized so that vegetation owners will clearly understand the consequences and be encouraged to cooperate. He called for a phased implementation process so the City can avoid hiring additional staff until it is known if they will be needed. He recommended that the fee study be conducted as soon as possible and that it not be tied to historic preservation issues.

Councilmember Barnett agreed that City staff should be involved in the process and related his understanding that the City employs a certified arborist, who might be able to assist.

Councilmember Goodrich emphasized the importance of having some kind of cost-sharing arrangement so people do not intentionally plant view-blocking vegetation to punish their neighbors and to avoid the perception that the arbitrator/mediator's decision was influenced by the fact that the view seeker was paying for their services. He voiced support for having staff provide an advisory opinion, a phased-in approach, and eliminating the 6-foot height minimum for view claims.

Councilmember Rizzo recommended that staff become involved early in the process to try to avoid mediation, arbitration and litigation. He called for the fee structure to be designed so that the City can recover some of the costs since the ordinance benefits only a certain area of the city. He noted that there are many long-time residents in the Hillside area who may not be able to afford to trim their trees, which is something that needs to be considered when figuring out how to apportion the costs. He indicated that he supports allowing a claim from only one viewing area and a phased-in approach, possibly starting in the upper Riviera.

Mayor Furey voiced his opinion that it was important that City staff be involved in the resolution process, as well as handle the notification of neighbors. With regard to cost-sharing, he suggested that the cost of mediation be shared, that the arbitrator be allowed to award fees and costs, and that the losing party pay for the cost of litigation.

The City Council recessed from 10:44 p.m. to 10:47 p.m. for technical reasons.

The Council took no action and directed staff to make revisions based on the Council's comments and bring the item back in September/October after the CEQA review has been completed.

9D. LEASE AGREEMENT FOR USE OF BASEBALL FIELD AT ENTRADERO PARK

Recommendation of the Community Services Director that City Council:

- 1) Adopt a California Environmental Quality Act (CEQA) Categorical Exemption to Guideline Section 15301 (existing facilities); and
- 2) Approve a lease agreement with West Torrance Field Restoration, Inc. of Redondo Beach, CA for the use of the Senior Baseball Field at Entradero Park, 5500 Towers Street, for the purpose of youth baseball programs from July 1, 2016 to June 30, 2026.

Business Manager Minter provided an overview of the proposed lease agreement.

Councilmember Griffiths and Mayor Furey commented positively on the agreement.

Scott Schumacher, West Torrance Field Restoration, reported that it's the company's intention to restore this field so that it will be the best baseball field in Torrance.

MOTION: Councilmember Rizzo moved to concur with the staff recommendation. The motion was seconded by Councilmember Weideman and passed by unanimous vote.

10. HEARINGS

10A. 2015 URBAN WATER MANAGEMENT PLAN

Recommendation of the Public Works Director that City Council:

- 1) Conduct a public hearing on the 2015 Urban Water Management Plan; and
- 2) Adopt a Resolution approving and filing the plan with the State Department of Water Resources.

Mayor Furey noted that staff was recommending that this hearing be continued after the public has been given an opportunity to speak. City Clerk Poirier confirmed that the hearing was properly advertised.

As no one from the public came forward to speak, the public hearing was continued.

MOTION: Councilmember Rizzo moved to continue the hearing to Tuesday, July 19, 2016. The motion was seconded by Councilmember Weideman and passed by unanimous vote.

11. **APPEALS** - None scheduled.

12. **SECOND READING ORDINANCES**

12A. **SECOND AND FINAL READING OF ORDINANCE NO. 3803**

SECOND AND FINAL READING OF ORDINANCE NO. 3803 PROTECTING PUBLIC HEALTH AND SAFETY AND CITY PROPERTY BY CONTROLLING DISCHARGES OF POLLUTANTS AND PROHIBITING ILLICIT DISCHARGES AND ILLICIT CONNECTIONS TO THE MUNICIPAL SEPARATE STORM SEWER SYSTEM AND WATERS OF THE UNITED STATES BY REPEALING IN ITS ENTIRETY CHAPTER 10 OF DIVISION 4 OF THE TORRANCE MUNICIPAL CODE, REPEALING SECTION 43.4.3 OF THE TORRANCE MUNICIPAL CODE AND ADDING A NEW CHAPTER 10 OF DIVISION 4 OF THE TORRANCE MUNICIPAL CODE "STORM WATER AND URBAN RUNOFF POLLUTION CONTROL" AND A NEW SECTION 43.4.3.

MOTION: Councilmember Griffiths moved to adopt Ordinance No. 3803. The motion was seconded by Councilmember Barnett and passed by unanimous vote.

13. **ORAL COMMUNICATIONS #2**

Councilmember Griffiths spoke.

Councilmember Rizzo spoke.

Councilmember Ashcraft spoke.

Councilmember Barnett spoke.

Councilmember Goodrich, with the concurrence of Council, requested that any actions at the Madrona Marsh with regard to coyotes after completion of those set to conclude at the end of the week, come back to Council for reconsideration.

Mayor Furey spoke.

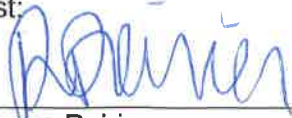
14. **CLOSED SESSION**

Considered earlier in the meeting, see page 1.

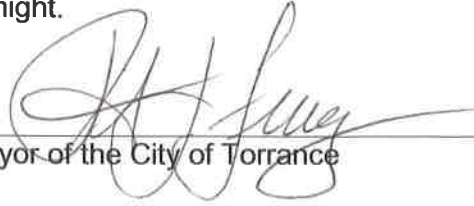
15. ADJOURNMENT

At 11:03 p.m., the City Council adjourned to Tuesday, July 12, 2016 at 5:30 p.m. for a closed session, with the regular meeting commencing at 7:00 p.m. in the Council Chamber. Tuesday, July 5, 2016 will be a City Council dark night.

Attest:



Rebecca Poirier
City Clerk of the City of Torrance



Mayor of the City of Torrance

Approved on July 19, 2016