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TORRANCE CITY COUNCIL – JANUARY 28, 2014

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At 10:57 p.m., the meeting was adjourned to Tuesday, February 4, 2014 at 5:30 p.m. for an executive session, with regular business commencing at 7:00 p.m. in the Council Chamber.	

January 28, 2014

**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 5:33 p.m. on Tuesday, January 28, 2014 in the Council Chamber at Torrance City Hall.

ROLL CALL

Present: Councilmembers Ashcraft, Barnett, Brewer, Furey, Sutherland, Weideman and Mayor Scotto.

Absent: None.

Present: City Manager Jackson, Assistant City Attorney Sullivan, City Clerk Herbers and other staff representatives.

Agenda Item 18 was considered out of order at this time.

18. EXECUTIVE 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 Labor Negotiator, and 18B) Real Property – Conference with Real Property Negotiator, pursuant to California Government Code §54957.6 and §54956.8.

The City Council reconvened at 7:03 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 Boy Scout Troop #851, Assistant Scoutmaster Ron Tajji.

The non-sectarian invocation was given by Councilmember Ashcraft.

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

City Clerk Herbers reported that the agenda was posted on the Public Notice Board at 3031 Torrance Boulevard on Wednesday, Thursday, January 23, 2014.

MOTION: Councilmember Brewer 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 Sutherland and passed by unanimous vote.

4. WITHDRAWN, DEFERRED OR SUPPLEMENTAL ITEMS

No items were withdrawn or deferred; supplemental material was available for Items 6E, 8F, 12A, 12D and 13A.

5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS

Mayor Scotto announced that the City was accepting applications for the fifth and final phase of the Hometown Heroes Program, which recognizes active and retired military personnel with a banner on Torrance Boulevard. He noted that applications are available in the back of Council Chambers, at public counters throughout City Hall and online at www.TorranceCA.gov/hometownheroesprogram.

Deputy Police Chief Matsuda announced that the Torrance Area Chamber of Commerce will be hosting the Torrance Police Department Awards and Appreciation Luncheon on Thursday, January 30, from 11:30 a.m. to 1:30 p.m. at the Torrance Marriott. Tickets are available for \$40 per person and reservations can be made by calling (310) 543-3113 or online at www.torrancechamber.com.

Mayor Scotto, with the concurrence of Council, directed staff to convene a meeting of the Ad Hoc State Legislative Advocacy Committee to consider the development of a resolution reaffirming the Council's commitment to Proposition 13 approved by voters 1978, which limits property taxes.

Mayor Scotto, with the concurrence of Council, requested that the City Manager explore the City's ability to establish its own Workforce Investment Network Board and develop a roadmap for doing so, if the City has this authority.

Mayor Scotto announced that there are various levels of sponsorship available for the 555 Maple Avenue sports fields currently under construction, which include a listing on the donor wall located at the entrance to the facility.

In a PowerPoint presentation, Sr. Business Manager Minter demonstrated how the public can donate to the Maple Avenue Sports Fields project on the City's website and access the live "Work Zone" camera documenting the progress of construction.

6. COMMUNITY MATTERS

6A. RESOLUTION NO. 2014-12 RE GEORGE MARTIN

RESOLUTION NO. 2014-12

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING FIREFIGHTER **GEORGE MARTIN** OF THE TORRANCE FIRE DEPARTMENT UPON HIS RETIREMENT FROM THE CITY OF TORRANCE AFTER THIRY-FOUR YEARS OF SERVICE

MOTION: Councilmember Weideman moved to adopt Resolution No. 2014-12. The motion was seconded by Councilmember Furey and passed by unanimous vote.

To be presented at a later date.

6B. RESOLUTION NO. 2014-13 RE STEVEN SWIGART

RESOLUTION NO. 2014-13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING FIREFIGHTER **STEVEN SWIGART** OF THE TORRANCE FIRE DEPARTMENT UPON HIS RETIREMENT FROM THE CITY OF TORRANCE AFTER THIRY-THREEYEARS OF SERVICE

MOTION: Councilmember Weideman moved to adopt Resolution No. 2014-13. The motion was seconded by Councilmember Furey and passed by unanimous vote.

To be presented at a later date.

6C. RESOLUTION NO. 2014-14 RE TIMOTHY MARCY

RESOLUTION NO. 2014-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING CAPTAIN **TIMOTHY MARCY** OF THE TORRANCE FIRE DEPARTMENT UPON HIS RETIREMENT FROM THE CITY OF TORRANCE AFTER THIRTY YEARS OF SERVICE

MOTION: Councilmember Weideman moved to adopt Resolution No. 2014-14. The motion was seconded by Councilmember Furey and passed by unanimous vote.

To be presented at a later date.

6D. RESOLUTION NO. 2014-15 RE DAVID RICHMAN

RESOLUTION NO. 2014-15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING CAPTAIN **DAVID RICHMAN** OF THE TORRANCE FIRE DEPARTMENT UPON HIS RETIREMENT FROM THE CITY OF TORRANCE AFTER TWENTY-SEVEN YEARS OF SERVICE

MOTION: Councilmember Weideman moved to adopt Resolution No. 2014-15. The motion was seconded by Councilmember Furey and passed by unanimous vote.

To be presented at a later date.

6E. APPOINTMENT OF TORRANCE REPRESENTATIVES TO PACIFIC GATEWAY WORKFORCE INVESTMENT NETWORK BOARD

Recommendation

Recommendation of the City Manager that City Council appoint Adriana Blake from Verengo Solar and Julia Wada from Toyota Financial Services as Pacific Gateway Workforce Investment Network Board representatives for the City of Torrance.

Economic Development Manager Fulton introduced Adriana Blake of Verengo Solar and Julia Wada of Toyota Financial Services and reviewed their qualifications to serve as Torrance's representatives on the Pacific Gateway Workforce Investment Board.

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

City Clerk Herbers administered the oath of office to Ms. Blake and Ms. Wada.

6F. COMMISSION APPOINTMENTS

Recommendation

Recommendation of the City Clerk that City Council review applications and appoint members to fill vacancies on various commissions. The City Clerk will administer the oath of office to commissioners present.

City Council made the following appointments:

Airport Commission: Stephen Hsaio and Howard Orpe

Civil Service: Marla Shwarts

Library: Allan Ravine

Parks and Recreation: Dean Mayeda and Todd Hays

Cultural Arts: Dale Korman and Anil Mohammad

Environmental Quality and Energy: David DeWitt and James Montgomery

Traffic: Robert Habeland Bhuvan (Ben) Bajaj

Water: Chet Craft and Masaru Kawai

Planning: Mike Griffiths

Commission on Aging: Paul Cohen and Benito Miranda

Cable Television Advisory Board: William Feliz and Michael Kosidlak.

City Clerk Herbers administered the oath of office to newly appointed commissioners present at the meeting.

City Council took a brief recess from 8:05 p.m. to 8:22 p.m.

7. ORAL COMMUNICATIONS #1

7A. Leilani Kimmel-Dagastino, resident, commended the City Manager and the Police Department for "Operation Lookout," a community outreach effort focusing on crime prevention held on Saturday, February 1, and expressed the hope that the program can be expanded.

7B. Margaret Lindsey, resident, provided background information about Destination Art, a Torrance-based non-profit organization, which is raising funds for an art studio/gallery to house local artists. She announced that the group's first fundraiser will be an art sale and silent auction "Chasing the Dream" on Saturday, March 8, from 1:00 – 4:00 p.m. in the Malaga Cove Library Gallery, with additional information at www.Destination-Art.net.

7C. Bob Chiota, resident, announced that South Bay Bocce Courts Project will be holding a fundraiser/bocce ball tournament on Saturday, March 22, beginning at 9:00 a.m. at Hawthorne Memorial Park, which will include a raffle and prizes.

7D. Mark Stephenson, resident, expressed concerns about retroactive enhancements to current safety employees' pension benefits and the increase in unfunded liabilities and contended that the pension framework is an unsustainable drain on our children's future.

7E. Rick Marshal, resident, submitted a proposed charter amendment calling for councilmembers to be elected by district rather than the current practice of electing councilmembers at large. He requested that an item be placed on a future City Council agenda for discussion in time to have the proposed amendment included on the June 3, 2014 Municipal Election ballot.

8. **CONSENT CALENDAR**

8. **APPROVAL OF MINUTES**

Recommendation

Recommendation of the City Clerk that City Council approve the City Council minutes of December 17, 2013 and January 7, 2014.

8B. **AD HOC FEDERAL LEGISLATIVE COMMITTEE MEETING REPORT**

Recommendation

Recommendation of the City Manager that City Council accept and file the report from the City Council Ad Hoc Federal Legislative Committee meeting of January 16, 2014.

8C. **PURCHASE ORDER FOR KEYLESS ACCESS SECURITY SYSTEM AT TRANSIT FACILITY**

Recommendation

Recommendation of the Transit Director that City Council authorize a purchase order with JMG Security Systems, Inc. of Fountain Valley, CA in an amount not to exceed \$106,728.60 for the purchase and installation of a keyless access security system at the city yard Transit facility.

8D. **PAYMENT FOR YEARLY MAINTENANCE FOR PUBLIC SAFETY INFORMATION SYSTEM**

Recommendation

Recommendation of the Police Chief, Fire Chief, and Information Technology Director that City Council authorize payment of \$114,393 to Spillman Technologies, Inc., for yearly maintenance of the Public Safety Information System, for the period from February 1, 2014 through January 31, 2015.

8E. **GROUND LEASE AGREEMENT RE 1215 EL PRADO AVENUE**

Recommendation

Recommendation of the Community Development Director that City Council approve a Confirmation of Ground Lease Parties Agreement between the City of Torrance and Mar Development Corporation for the ground lease of property located on 1215 El Prado Avenue.

8F. **2013-14 GRANT FUNDING FOR NON-PROFIT SOCIAL SERVICES AGENCIES**

Considered separately, see pages 6-7.

8G. CHANGE ORDER RE OVERFLOW BYPASS MANHOLE

Recommendation

Recommendation of the Public Works Director that City Council:

- 1) Appropriate \$20,250 from the Sewer Enterprise Fund for the installation of an overflow bypass manhole; and
- 2) Authorize a second change order to emergency purchase order with Clarke Contracting Corporation of Lawndale, CA (2014-452) in the amount of \$20,250, for a combined total not to exceed \$83,400.

8H. AGREEMENT EXTENSION RE VARIOUS TELECOMMUNICATION SERVICES

Recommendation

Recommendation of the Information Technology Director that City Council authorize an extension to the State of California's CalNet 2 master service agreement in the amount of \$100,000 to provide various telecommunication services through June 30, 2014.

8I. ANNUAL MAINTENANCE SERVICE AGREEMENT RE DATA NETWORK DEVICES

Recommendation

Recommendation of the Information Technology Director that City Council approve the purchase of an annual maintenance service agreement for data network devices from Cisco Systems, Inc. of San Jose, CA in the amount of \$76,085.30 for the period beginning February 1, 2014 through January 31, 2015.

MOTION: Councilmember Brewer moved for the approval of Consent Calendar Items 8A through 8E and 8G through 8I. The motion was seconded by Councilmember Sutherland and passed by unanimous vote.

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

8F. 2013-14 GRANT FUNDING FOR NON-PROFIT SOCIAL SERVICES AGENCIES

Recommendation

Recommendation of the Parks and Recreation Commission and the Community Services Director that City Council approve a total of \$21,500 for nine (9) applicants for the year 2013-2014 Grant Program for Non-Profit Social Services Agencies.

Sr. Recreation Supervisor Kelso provided background information about the Grant Program for Non-Profit Social Services Agencies, including eligibility and the selection process. The following grants were recommended for the 2013-2014 Grant Program.

AGENCY	FUNDING RECOMMENDATION
Cancer Support Community	\$3,000
Health and Elder Law Program (H.E.L.P.)	\$1,200
Pregnancy Help Center	\$1,750
Providence Little Company of Mary	\$1,000
South Bay Children's Health Center Association, Inc.	\$2,000
South Bay Literary Council, Inc.	\$5,000
Torrance Lomita Meals on Wheels	\$5,550
Torrance-South Bay YMCA	\$1,000

AGENCY	FUNDING RECOMMENDATION
Westside Center for Independent Living	\$1,000
TOTALS	\$21,500

Mark Stephenson, resident, expressed concerns that the City's gifting of taxpayer funds to non-profit organizations may be in conflict with Article XVI, Section 6, of the California Constitution. He also questioned why funds had been given to non-profit organizations over the past few years when the City has had revenue deficiencies which have forced the elimination of 80-100 employee positions.

Assistant City Attorney Sullivan advised that Article XVI, Section 6, which prohibits the gift of public funds, was not applicable in this case because the funds are being used for the benefit of Torrance residents.

MOTION: Councilmember Sutherland moved to approve the 2013-2014 Grant Program for Non-Profit Social Service Agencies. The motion was seconded by Councilmember Barnett and passed by unanimous vote.

12. ADMINISTRATIVE MATTERS

12A. AUTHORIZATION OF PROMOTIONAL EXAM FOR POLICE CHIEF POSITION

Recommendation

Recommendation of the City Manager, Human Resources Administrator, and Civil Service Commission that City Council authorize a promotional examination to fill the position of Police Chief.

Human Resources Administrator Lee reported that there are approximately 10 current employees who are qualified to be potential candidates for the position of Police Chief therefore staff was recommending that the exam be conducted on a promotional basis.

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

12B. RESOLUTION RE PAY RANGE FOR LEAD AIRPORT WORKER

Recommendation

Recommendation of the Human Resources Administrator that City Council adopt a Resolution pursuant to the Memorandum of Understanding amending Resolution No. 2011-26 for employees represented by Torrance Municipal Employees – AFSCME, Local 1117 implementing a pay range for the classification of lead airport worker in the amount of \$61,500.

Human Resources Manager Lawrence reported that this action will implement the pay range for the classification of lead airport worker approved at last week's meeting and allow staff to begin the recruitment process.

In response to Councilmember Sutherland's inquiry, Human Resources Manager Lawrence advised that staff anticipates the exam for this position will be conducted on a promotional basis.

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

RESOLUTION NO. 2014-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE
AMENDING RESOLUTION NO. 2011-26 FOR EMPLOYEES REPRESENTED BY
TORRANCE MUNICIPAL EMPLOYEES – AFSCME, LOCAL 1117 IMPLEMENTING A
PAY RANGE FOR THE CLASSIFICATION OF LEAD AIRPORT WORKER

MOTION: Councilmember Weideman moved to adopt Resolution No. 2014-16. The motion was seconded by Councilmember Furey and passed by unanimous vote.

12C. APPROVAL OF FY2013-2014 FEDERAL TRANSIT ADMINISTRATION GRANT APPLICATIONS

Recommendation

Recommendation of the Transit Director that City Council authorize the City Manager to submit on behalf of the Torrance Transit System Fiscal Year 2013-2014 Federal Transit Administration, Urbanized Formula (Section 5307) and Congestion Mitigation and Air Quality improvement (CMAQ) applications in the amount of \$7,460,000.

Transit Administration Manager Mills reviewed the projects to be funded by the grants, including preventative maintenance for the bus fleet, the installation of above-ground fuel tanks, and the purchase of six alternative fuel replacement buses, noting that no City General Funds will be used for these projects.

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

12D. ORDINANCE AMENDING TORRANCE MUNICIPAL CODE RE WORKERS' COMPENSATION CLAIMS AND LIABILITY CLAIMS

Recommendation

Recommendation of the Finance Director that City Council:

- 1) Approve modified Workers' Compensation Settlement Authority Guidelines; and
- 2) Adopt an Ordinance amending the Torrance Municipal Code making Liability Claims Review Board decisions final and modifying Liability Settlement Authority.

Risk Manager Sellers provided an overview of the proposed amendments designed to create a more efficient claims administration process.

Councilmember Sutherland expressed concerns about the proposal to make the Liability Claims Review Board's decisions final, thereby eliminating a claimant's right to appeal a decision to the City Council.

City Manager Jackson advised that this provision was included due to concerns that a public discourse of the issues involved in a liability case could damage the City's case should there be further litigation in a court of law.

Councilmember Weideman requested that staff provide a report to the Council periodically on liability cases that have been adjudicated.

Mark Stephenson, resident, requested that a summary report of liability claims be placed on the City's website.

MOTION: Councilmember Brewer moved to concur with the staff recommendation as amended by supplemental material. The motion was seconded by Councilmember Ashcraft and passed by a 6-1 vote with Councilmember Sutherland dissenting.

ORDINANCE NO. 3769

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE
AMENDING TORRANCE MUNICIPAL CODE MAKING LIABILITY CLAIMS REVIEW
BOARD DECISIONS FINAL AND MODIFYING LIABILITY CLAIMS SETTLEMENT
AUTHORITY

MOTION: Councilmember Weideman moved to adopt Ordinance No. 3769 as amended. The motion was seconded by Councilmember Furey and passed by a 6-1 vote, with Councilmember Sutherland dissenting.

12E. UPDATE ON STATUS OF TORRANCE TRANSIT PARK AND RIDE REGIONAL TERMINAL PROJECT/ AGREEMENT AMENDMENT RE DESIGN SERVICES

Recommendation

Recommendation of the Public Works Director, Chief of Police and Transit Director that City Council:

- 1) Review the status update regarding Torrance Transit Park and Ride Regional Terminal (FEAP #764),
- 2) Authorize the transfer of \$274,119 from Torrance Police Department FEAP #875 and FEAP #454 into FEAP #764;
- 3) Appropriate \$115,000 from Public Works Water Enterprise Fund and \$275,000 from Transit Proposition 1B Public Transportation Modernization, Improvement and Service Enhancement Program (PTMISEA) into FEAP #764;
- 4) Approve an amendment to consulting services agreement with Frank R. Webb Architects, Inc.(C2013-152) for additional design services in the amount of \$45,710 for a new not to exceed total of \$1,344,966; and
- 5) Authorize the Mayor and City Clerk to execute and attest to said amendment.

Engineering Manager Semaan reported that Frank R. Webb Architects has completed the 65% design for the Torrance Transit Park and Ride Regional Terminal and corresponding cost estimate, which brought to light three critical elements that require additional funding – enhanced security cameras, water quality loop line, and improved signage - and staff has identified funding sources for these items. He advised that staff was also recommending advanced grading operations so potential soil problems can be mitigated before they cause costly construction delays.

Councilmember Sutherland commented positively on the project, noting that renderings had been shared with the Council prior to the meeting.

Mayor Scotto, echoed by Councilmember Barnett, indicated that he was very pleased with the way the project has evolved and believes this design was an improvement over the original plans.

Charles Deemer, resident, requested clarification regarding the project's LEED (Leadership in Energy & Environmental Design) certification, which was provided by Engineering Manager Semaan.

Mark Stephenson, resident, requested clarification of the funding for the water quality loop line, which was provided by Public Works Director Beste.

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

The City Council took a brief recess from 9:13 p.m. to 9:29 p.m.

13. HEARINGS

13A. MIS13-00229: 139 VIA LOS ALTOS – JENNI GABELSBERG

Recommendation

Recommendation of the Planning Commission and the Community Development Director that City Council deny the appeal and adopt a Resolution approving a Minor Hillside Exemption to allow additions and remodeling resulting in a 3,467 square foot single-story residence on property located within the Hillside Overlay District in the R-1 zone at 139 Via los Altos.

Mayor Scotto announced that this was the time and place for a public hearing on this matter. City Clerk Herbers confirmed that the hearing was properly advertised.

Planning Manager Lodan reported that the applicant originally proposed a larger two-story project in March 2009 and subsequently redesigned it to address neighbors' concerns and was now proposing a one-story project, which complies with all requirements. With the aid of slides, he briefly reviewed the project and shared photographs taken from various vantage points in the neighborhood. He noted that the Planning Commission voted unanimously to approve the project on November 20, 2013.

Mayor Scotto disclosed that he visited the subject property and spoke with neighbors, but did not speak with the applicant or the appellant. Councilmember Sutherland disclosed that he visited the site and spoke with the applicant and the appellant. Councilmember Weideman disclosed that he visited the site and spoke with the wife of the appellant, but did not speak with the applicant. Councilmember Barnett disclosed that he visited the site and had no interaction with any of the parties involved. Councilmember Brewer disclosed that he had spoken with the appellant Ron Johnson and another neighbor who was opposed to the project. Councilmember Furey disclosed that he visited the site and walked the neighborhood, but spoke with no one. Councilmember Ashcraft disclosed that she had spoken with the Johnsons (appellant) and the Gablesbergs (applicant).

Councilmember Brewer questioned whether the three chimneys shown on the plans were necessary, and Planning Manager Lodan advised that the chimneys are functional, however a different method can be used to vent the gas fireplaces, which does not require chimneys.

Ron Johnson, 145 Via Los Altos, appellant, detailed his objections to the project. Using slides to illustrate, he contended that the project violates TMC §91.41.10 because the walls of the house were unnecessarily high to accommodate 9' ceilings when this can be accomplished with an 8'2" plate height using a cathedral ceiling design. He further contended that it does not comply with TMC §91.41.6 because it would have a considerable adverse impact on neighbors and it was not located, planned and designed to cause the least intrusion on the view, light, air and privacy of other properties in the vicinity. He suggested that the applicant's claim that the

proposed project would be lower than the existing residence was misleading because 95% of the remodeled home would have a higher roofline than the existing residence. He expressed concerns that the large expanse of wall adjacent to his property would create a wind-tunnel in his front courtyard; asserted that the front office/entry, which protrudes into the 20' frontsetback, was out of harmony with the neighborhood; requested that the three chimneys be eliminated; and maintained that the proposed project would reduce the value of his property. He stated that immediate neighbors are overwhelmingly opposed to the project as evidenced by a petition previously submitted, while the majority of neighbors who support it are not affected by it.

Councilmember Sutherland noted that two of the people listed on the petition submitted by Mr. Johnson sent letters stating that they now support the project (supplemental material). He related his observation that there is an existing hedge on Mr. Johnson's property that is almost the height of the proposed structure so the project would appear to have little impact.

Steve Kaplan, Encino, legal counsel for the Gabelsbergs (applicants), disputed Mr. Johnson's contention that the majority of neighbors are opposed to the project, asking for a show of hands of those who support it. He stated that he submitted a letter dated January 15, 2014 with exhibits (agenda material) that rebuts the assertions made by the appellant and substantiates the findings that must be made in order for the Council to approve the project. He noted that the attachments also include a detailed log of the Gabelsbergs extensive interaction with their neighbors.

Nagy Bakhoun, Obelisk Architects, Torrance, project architect, provided background information about the project, noting that the proposed single-story design was the fourth iteration. Using slides to illustrate, he reported that the structure will be lowered into the grade to achieve a lower roofline and the soil removed from the front of the property will be relocated to the backyard to make the area more usable. He contrasted the view impact of the existing home with that of the proposed project and emphasized that ridgelines for both the house and garage will be lower than existing. He noted that the project exceeds the required average front setback of 20 feet and that the combined width of the three proposed chimneys is less than the existing chimney so any view impact would be minimal. With regard to privacy, he explained that moving the main entrance from the side to the front of the house will increase the privacy of Mr. Johnson's front courtyard and reviewed the positioning of windows facing his property to demonstrate that the project will not intrude on privacy.

Jason Gabelsberg, 139 Via Los Altos, applicant, stated that he stringently followed guidelines to minimize the project's impact and has neither asked for nor been granted any waivers or variances. He expressed frustration that there continues to be opposition to the project despite the many compromises he has made. He contended that the appellant's claims lack substance and merit and requested that the Council approve the project so he and his wife can finally move forward.

Mayor Scotto invited public comment.

David Donson, 148 Via Segó, representing neighbors who support the project, stated that they are extremely pleased with the scope and high-quality design of the project and strongly believe it is in harmony with the neighborhood and that it will enhance property values. He urged the Council to support this growing family's efforts to expand their home since the project complies with all requirements.

The following people came forward to indicate their support of the project: Heather Coller, 225 Vista del Parque; Lori Kell, 3812 W. 242nd Street; Tom LaGrelus, 171 Via

Los Miradores; Kira Williams, 109 Via Los Altos; Jim Underwing, 112 Via El Chico; Diana Neidert, 206 Via Los Altos; Patty Doyle, 206 Via Los Altos; Frank Piersol, 116 Via Segó.

Maria Johnson Lee, daughter of appellant Ron Johnson, related her belief that support from neighbors who are not impacted by the project should be discounted and that the Gabelsbergs' gain should not come at her family's expense.

Jeff Lee, husband of Maria Johnson Lee, provided background information about the Mr. Johnson and his family and urged the Council to strongly consider the negative impact on the Johnsons' home.

Florence Yates, 152 Via Segó, expressed concerns that the movement of soil could destabilize the hillside.

Janet Freeland, 23503 Susana Avenue, echoed concerns about the potential destabilization of the hillside. She noted that the subject property is directly above her property and she recently spent \$5000 to have railroad ties brought in to stabilize the hillside.

Ron Johnson voiced his opinion that the project was not in keeping with the Hillside Ordinance, noting that he has lived in his home for 34 years and bought it with the knowledge that the Hillside Ordinance would protect his property. He reported that neighbors who asked to have their names removed from the petition he submitted had not informed him.

Nagy Bakhom explained that the hillside's stability will be improved by the project because rainwater will flow out to the street instead of down the hillside.

Jason Gabelsberg reported that some neighbors declined to support the project because they did not want to upset the Johnsons, who are long-time residents.

MOTION: Councilmember Weideman moved to close the public hearing. The motion was seconded by Councilmember Brewer and passed by unanimous vote.

Voicing support for the project, Councilmember Sutherland stated that of all the projects he has considered during his years on the Council, he felt this one was probably the least intrusive.

Councilmember Weideman indicated that he would also support the project because he did not believe Mr. Johnson had presented any compelling evidence to support his claim that the project would impact his light, air and privacy. He noted that while there was some mention of view impact in the agenda material, no one has claimed view impact at this hearing.

Mayor Scotto related his belief that once the project is built, Mr. Johnson will eventually come to realize that it is an improvement to the neighborhood. He expressed the hope that the neighbors involved will be able to put this behind them.

MOTION: Councilmember Brewer moved to deny the appeal and approve the project. The motion was seconded by Councilmember Weideman and passed by unanimous vote.

RESOLUTION NO. 2014-17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE APPROVING A MINOR HILLSIDE EXEMPTION TO ALLOW ADDITIONS AND REMODELING RESULTING IN A 3,467 SQUARE FOOT SINGLE-STORY RESIDENCE ON PROPERTY LOCATED WITHIN THE HILLSIDE OVERLAY DISTRICT IN THE R-1 ZONE AT 139 VIA LOS ALTOS.

MOTION: Councilmember Weideman moved to adopt Resolution No. 2014-17. The motion was seconded by Councilmember Furey and passed by unanimous vote.

17. ORAL COMMUNICATIONS #2

17A. City Clerk Herbers announced that there will be a Commissioner Certification Class on Thursday, April 24, from 6:00 – 8:00 p.m., with additional information available by contacting the City Clerk’s office at 310.618.2870.

17B. Councilmember Barnett thanked staff for following up on his suggestion that donors to the 555 Maple Avenue sports fields be provided with a receipt with the City’s tax exempt information for the convenience of tax preparers.

17C. Councilmember Barnett, with the concurrence of Council, requested that staff bring forward an item to subsidize fees for the National Fast Pitch Softball Tournament for high school girls to be held at Wilson Park.

17D. Councilmember Furey announced that the City in conjunction with AARP will providing assistance with tax preparation beginning February 3 through April 15 on a walk-in only basis from 9:00 a.m. to 2:30 p.m. at 1215 El Prado, with additional information at 310.618.2724.

17E. Councilmember Furey noted that Police Chief Neu recently resigned due to his wife Michele’s health issues and expressed the hope that she will experience a full recovery.

17F. Councilmember Sutherland reported that he attended a ribbon cutting ceremony for Chase Bank last week.

17G. Mayor Scotto thanked all who applied for commission positions, noting that tonight’s pool of candidates was especially well qualified.

18. EXECUTIVE SESSION

Considered earlier in the meeting, see page 1.

19. ADJOURNMENT

At 10:57 p.m., the meeting was adjourned to Tuesday, February 4, 2014 at 5:30 p.m. for an executive session, with regular business commencing at 7:00 p.m. in the Council Chamber.

Attest:

/s/ Frank Scotto
Mayor of the City of Torrance

/s/ Sue Herbers
Sue Herbers, CMC
City Clerk of the City of Torrance

Approved on February 25, 2014