

INDEX
TORRANCE CITY COUNCIL – JUNE 17, 2014

<u>SUBJECT</u>	<u>PAGE</u>
<u>OPENING CEREMONIES</u>	
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 Withdrawn, Deferred or Supplemental Items	2
5. Council Committee Meetings and Announcements	2
6. <u>COMMUNITY MATTERS</u>	2
7. <u>ORAL COMMUNICATIONS #1</u>	2
8. <u>CONSENT CALENDAR</u>	
8A. Formal Withdrawal from Los Angeles Regional Interoperable Communications System	2
8B. Torrance Cultural Arts Foundation Agreement	2
8C. Agreement re Voicemail System Maintenance Support	2
8D. Goldsworthy Expansion Project	3
8E. Purchase Order for Crushed Rock, Gravel, Sand and Aggregate Base	3
8F. Agreement for Use of Toyota Sports Complex	3
12. <u>ADMINISTRATIVE MATTERS</u>	
12A. Approval of Banner Tow Operation of at Torrance Airport	3-4
12B. Extension of Agreement for Transfer Services with Allied Waste	4
13. <u>HEARINGS</u>	
13A. PRE13-00004: 310 Calle de Arboles – Kelly Hamm (Yukimo Hayashida)	5-8
16. <u>SECOND READING ORDINANCES</u>	
16A. Second and Final Reading of Ordinance No. 3773	9
17. <u>ORAL COMMUNICATIONS #2</u>	9
18. <u>EXECUTIVE SESSION</u>	1, 9
19. <u>ADJOURNMENT</u>	9

At 9:34 p.m., the meeting was adjourned to Tuesday, June 24, 2014 at 5:30 p.m. for an executive session, with the regular meeting commencing at 7:00 p.m. in the Council Chamber.

**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 17, 2014 in the Council Chamber at Torrance City Hall.

ROLL CALL

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

Absent: None.

Present: City Manager Jackson, City Attorney Fellows, 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, 18B) Conference with Legal Counsel – Anticipated Litigation, and 18C) Real Property – Conference with Real Property Negotiator, pursuant to California Government Code §54957.6, 54956.9(d)(2) and 54946.8.

Councilmember Barnett announced that he was recusing himself from the discussion on Item 18C concerning the property at 1511 Cravens Avenue due to a conflict of interest.

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 City Treasurer Dana Cortez.

The non-sectarian invocation was given by Rabbi Gary Spero, Congregation Beth Torah.

**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 Thursday, June 12, 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 Barnett and passed by unanimous vote.

4. WITHDRAWN, DEFERRED OR SUPPLEMENTAL ITEMS

Item 8F was withdrawn; supplemental material was available for Item 12A.

City Manager Jackson noted that a request was made by an interested party to continue the hearing on Item 13A; it was the consensus of the Council to go forward with the hearing.

5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS

Mayor Scotto provided background information about the City's interactions with Car2Go, a car sharing service, noting that the City drafted an ordinance that would have provided for a non-exclusive franchise agreement, but the company would not agree to the terms. He reported that the company has begun operating in beach cities and has obtained a Torrance Business License under the category "Equipment Rental" paying the \$108 per-vehicle fee for an estimated 48 cars that will be operating in Torrance. He advised that Torrance Police Department has been following up on complaints about the cars and will tow them if they are parked in one location for more than 72 hours. With the concurrence of Council, he requested that staff meet with Car2Go representatives to discuss concerns and possible locations where the cars can be parked to lessen the impact residents.

6. COMMUNITY MATTERS - None.

7. ORAL COMMUNICATIONS #1

7A. Melissa Wright and June Lee reported on the "Mike's Hiking for Heroes" project, which involves Mike Viti, a military veteran who is hiking 7,100 kilometers to commemorate the 7,100 service men and women who have been killed in action as part of the global war on terror, and invited the public to meet Mike when he visits Seaside Heroes Park on Sunday, June 29.

8. CONSENT CALENDAR

8A. FORMAL WITHDRAWAL FROM LOS ANGELES REGIONAL INTEROPERABLE COMMUNICATIONS SYSTEM

Recommendation

Recommendation of the City Manager that the City of Torrance formally withdraw from the Los Angeles Regional Interoperable Communications System (LA-RICS).

8B. TORRANCE CULTURAL ARTS FOUNDATION AGREEMENT

Recommendation

Recommendation of the General Services Director that City Council approve the Torrance Cultural Arts Foundation agreement to promote the Torrance Cultural Arts Center in an amount not to exceed \$169,400 for a period commencing July 1, 2014 and expiring June 30, 2015.

8C. AGREEMENT RE VOICEMAIL SYSTEM MAINTENANCE SUPPORT

Recommendation

Recommendation of the Communications & Information Technology Director that City Council approve a contract services agreement with Digital Telecommunications Company, Van Nuys, CA for AVST ExpressCare voicemail support in the amount of \$16,425 from July 30, 2014 through July 29, 2015.

8D. GOLDSWORTHY DESALTER EXPANSION PROJECT

Recommendation

Recommendation of the Public Works Director that City Council:

- 1) Appropriate \$100,000 for the Goldsworthy Desalter Expansion Project;
- 2) Approve a Memorandum of Understanding with the Los Angeles County Flood Control District for reimbursement for preparing the Integrated Regional Watershed Management Plan (IRWMP) grant application for a not to exceed amount of \$17,440.71;
- 3) Approve the Integrated Regional Watershed Management Plan (IRWMP); and
- 4) Approve a project management fee of \$82,559.29 for grant administration, project review, and coordination.

8E. PURCHASE ORDER FOR CRUSHED ROCK AND GRAVEL, SAND AND AGGREGATE BASE

Recommendation

Recommendation of the Public Works Director that City Council authorize a purchase order with Logan's Marketing of San Diego, CA, in an amount not to exceed \$61,773.50 per year for a 5-year not to exceed amount of \$308,867.50 for crushed rock & gravel, washed plaster sand, screened fill sand, rock dust and crushed aggregate base on an as requested basis for five (5) year period from July 01, 2014 through June 30, 2019.

8F. AGREEMENT FOR USE OF TOYOTA SPORTS COMPLEX

Recommendation

Recommendation of the Community Services Director that City Council approve an agreement with the JV Soccer Center, LLC for use of the Toyota Sports Complex.

Item 8F was withdrawn.

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

12. ADMINISTRATIVE MATTERS

12A. APPROVAL OF CONTINUED OPERATION OF BANNER TOW COMPANY AT TORRANCE AIRPORT

Recommendation

Recommendation of the General Services Director and the Airport Commission that City Council approve Aviad LLC to continue banner tow operations at Torrance Municipal Airport - Zamperini Field contingent upon an annual review from the Airport Commission.

Facility Operations Manager Megerdichian reported that staff was recommending that Aviad be allowed to continue its banner tow operations at Torrance Airport subject to an annual review by the Airport Commission each October, noting that October was selected because it is after the peak banner tow season, which is July through September.

Councilmember Ashcraft asked about an email from a resident (supplemental material) claiming that she and her husband filed complaints about banner tow operations, but they were not submitted to the Airport Commission and they never received a response.

Facility Operations Manager Megerdichian stated that any correspondence received by his office on this topic has been provided to the Airport Commission and the City Council.

Richard Root, Torrance, voiced objections to allowing this banner tow operation to continue due to the impact of aircraft noise on residents. He reported that the company made 95 flights last year, with each flight lasting up to 4 hours, and their airplanes fly at minimum altitude so the banners can be seen, which increases noise for residents. He contended that the City was required to do an analysis of the environmental impact of this operation per the California Environmental Quality Act (CEQA) before granting the permit, which does not appear to have been done.

City Attorney Fellows advised that the City was not required to do an environmental analysis in connection with this item.

Councilmember Sutherland related his experience that airplanes towing banners are not excessively noisy, noting that the Goodyear blimp is noisier, but no one has suggested that it be grounded. He pointed out that the banner tow business could operate out of another airport and still fly over Torrance and expressed concerns about driving businesses out of the city.

In response to Councilmember Ashcraft's inquiry, it was confirmed that the Council could request that the matter come back before the Council prior to October if there are complaints about the banner tow operation.

MOTION: Councilmember Sutherland moved to concur with the staff recommendation, with the first review to take place in October 2014. The motion was seconded by Councilmember Brewer and passed by a 6-1 vote, with Councilmember Weideman dissenting.

12B. EXTENSION OF AGREEMENT FOR TRANSFER SERVICES WITH ALLIED WASTE

Recommendation

Recommendation of the Public Works Director that City Council approve a third amendment to agreement C2005-216 with Allied Waste Services of North America, LLC to provide transfer station services for the City's waste stream. All terms will remain the same. The amendment will include reducing the rates for the final year renewal option and extending the term for an additional three years, with two additional one-year options and an annual consumer price index (CPI) adjustment with a 5% cap.

Sanitation Services Manager Knapp reported that the proposed agreement provides for a reduction in rates that equates to approximately \$770,000 in savings over the six-year term of the agreement.

In response to Councilmember Weideman's inquiry, Sanitation Services Manager Knapp discussed the impact of the green waste program on the City's waste stream.

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

13. HEARINGS

13A. PRE13-00004: 310 CALLE DE ARBOLES – KELLY HAMM (YUKIMO HAYASHIDA)

Recommendation

Recommendation of the **Planning Commission** that City Council deny the appeal and adopt a Resolution denying PRE 13-00004 on property located at 310 Calle de Arboles.

Recommendation of the **Community Development Director** that City Council approve the appeal and adopt a Resolution approving PRE13-00004.

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.

With the aid of slides, Planning Manager Lodan briefly reviewed the proposed project, which consists of a new two-story, single-family residence, and shared photographs taken from various vantage points in the neighborhood. He reported that the project has undergone a number of revisions and it was last reviewed by the Planning Commission on March 5, 2014, at which time the project was denied by a vote of 5-2.

Mayor Scotto disclosed that he went to the site and viewed the project from the next door neighbor's home and met with Kelly Hamm, the project architect, and the owners of 310 Calle de Arboles. Councilmember Sutherland disclosed that he met with Kelly Hamm and visited neighbors on both sides of the project. Councilmember Weideman disclosed that he met with Kelly Hamm and the property owners at City Hall, visited the site, and viewed the project from inside 314 Calle de Arboles and outside 306 Calle de Arboles. Councilmember Brewer disclosed that he met with the property owners at City Hall and viewed the project from inside and outside both 306 and 314 Calle de Arboles. Councilmember Barnett disclosed that he met with the property owners at City Hall and drove by the property to view the silhouette. Councilmember Furey disclosed that met with the property owners and Mr. Hamm jointly with Councilmember Sutherland at City Hall and visited the site. Councilmember Ashcraft disclosed that she met with the property owners and Kelly Hamm at City Hall and visited 314 Calle de Arboles.

With the aid of slides, Kelly Hamm, project architect, reviewed the various revisions made to the project to address the concerns of neighbors, noting that this was the fifth iteration of the plans. To address any remaining concerns, he offered to reduce the project's FAR (floor area ratio) to 0.50, to make the front balcony non-functioning by replacing French doors with windows, and to raise the sill height of kitchen windows to 5'6" to eliminate any possibility of privacy impact. He related his belief that everything possible had been done to mitigate the impact on the view, light, air and privacy of neighbors and urged approval of the project.

In response to Mayor Scotto's inquiry, Mr. Hamm reported that the current plans do not reflect the reduction in the FAR to 0.50 and confirmed that the square footage to be eliminated will come from the second floor.

Community Development Director Gibson indicated that staff was comfortable working with the applicant on the reduction in the FAR and did not feel revised plans were necessary.

Councilmember Weideman expressed concerns about potential privacy impacts to 306 Calle de Arboles due to the large windows on the west elevation.

Mr. Hamm responded that these windows would not create a privacy impact because they overlook a driveway.

The Council briefly recessed from 9:02 p.m. to 9:17 p.m.

Mayor Scotto invited public comment.

Mathilde (Mike) Terre, 314 Calle de Arboles, voiced objections to the proposed project, citing the encroachment on her property.

Steve Terre, Mike Terre's son, echoed objections to the project, contending that it would impact air, light and privacy at the family home, which was purchased 60 years ago.

Prashant Lyappan and Rathna Kedilaya, 306 Calle de Arboles, reported that they recently purchased the property and they are very concerned about the project's impact on their property value. They maintained that they will be greatly affected by the proposed second story because it will loom over their home and provide a view into their front bedroom, living room, porch and yard.

Marilyn Van Oppen, Susana Avenue, suggested that requiring projects to strictly adhere to the 0.50 FAR limit would reduce staff's workload and possibly reduce the number of appeals that must be heard by the City Council. She further suggested that residents outside the Hillside Overlay should also be protected by overdevelopment by limiting the FAR to 0.50.

Mayor Scotto clarified that projects are not limited to an FAR of 0.50 in the Hillside Overlay, it is simply a threshold over which a Precise Plan of Development is required.

Community Development Director Gibson stressed the need for flexibility in the Hillside Ordinance due to the uniqueness of the lots and the topography of the area.

June Leach, 322 Calle de Arboles, voiced objections to the proposed project due to the impact on immediate neighbors.

Judy Brunetti, president of Riviera Homeowners Association, contended that the proposed project would impact the view, light, air and privacy of neighbors on both sides, as well as reduce their property values by \$100,000 - \$300,000. She urged that any approval be conditional on the submission and approval of revised plans.

John Bower, 202 Calle de Arboles, voiced his opposition to the project, relating his belief that expansions should be done without impacting neighbors.

Kay White, Via Los Miradores, maintained that the Council should not consider approving this project without revised plans.

Alan Curtis, Palos Verdes, noting that he is a former neighbor of Ms. Terre, echoed calls for revised plans to be submitted prior to any approval.

Julian Chasen, 148 Via Los Miradores, urged that the Hillside Ordinance be strictly enforced.

Ruth Vogel, Via La Soledad, related her understanding that the property owners are real estate investors who own multiple properties in the South Bay therefore they should have understood how difficult it is to gain approval of a second story in the Hillside Overlay. She voiced objections to the project, contending that it would impact the view, light, air and privacy of immediate neighbors. She estimated that it would reduce the value of their properties by \$100,000 or more based on her expertise as a retired realtor. She reported that neighbors across the street also object to the project.

Dick Rossberg, Torrance, noted that he was mayor when the Hillside Ordinance was enacted and recommended that the new City Council revisit the ordinance to ensure that the character of the neighborhood is maintained.

Returning to the podium, Mr. Hamm stated that he understands the requirements of Hillside Ordinance and has tried very hard to comply with them. He emphasized the many revisions that have been made to try to satisfy neighbors and related his belief that the project complies with the spirit of the Hillside Ordinance. He reported that the second-floor windows the neighbors at 306 Calle de Arboles are concerned about look down on the driveway and not into their property. He noted that while Ms. Terre has expressed a preference for a one-story house, the impact of a one-story with a peaked roof would be similar to the two-story house that has been proposed.

Councilmember Furey stated that he believed Mr. Hamm had done a good job of addressing the concerns at 314 Calle de Arboles, however he could not support the project because it would impact the privacy of 306 Calle de Arboles due to the floor-to-ceiling windows on the second floor facing this property.

In response to Councilmember Barnett's inquiry, Planning Manager Lodan advised that a one-story project could potentially have a greater impact on neighbors than the proposed two-story design, which has larger than required setbacks to preserve view corridors.

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

Councilmember Sutherland indicated that his main concern was the project's FAR but this concern has been alleviated by Mr. Hamm's offer to reduce it to 0.50. He stated that he believed the view from Ms. Terre's house will be improved with the removal of the existing garage and that the privacy impact at 306 Calle de Arboles will not be as great as owners fear, however, he could not support the project without seeing revised plans.

Councilmember Weideman reported that he would vote to deny the project due to the floor-to-ceiling windows on the west elevation and the large wrap-around deck which he believes will impact the privacy of neighbors at 306 Calle de Arboles.

Councilmember Ashcraft commented positively on the reduction in the FAR, but stated that she could not vote to approve the project without seeing revised plans.

MOTION: Councilmember Weideman moved to deny the appeal and deny the project without prejudice. The motion died for lack of a second.

A brief discussion ensued about the possibility of approving the project, adding a condition that revised plans must be submitted and approved by the Council, and the public hearing was reopened so Mr. Hamm could comment.

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

City Attorney Fellows recommended that the Council not approve the project subject to revised plans since a new Council will be seated on July 15.

Mayor Scotto proposed continuing the hearing to the June 24 City Council meeting if Mr. Hamm could prepare revised plans in time to meet the deadline for the agenda, which is Friday, June 20.

Mr. Hamm indicated that he could meet the deadline and asked for direction from the Council regarding revisions to the project.

In response to Councilmember Weideman's inquiry, City Attorney Fellows provided clarification regarding the ramifications of denying a project "with prejudice" and "without prejudice."

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

MOTION: Councilmember Weideman moved to deny the appeal and deny the project without prejudice. The motion was seconded by Councilmember Furey and passed as reflected in the following vote:

YES: Councilmembers Ashcraft, Barnett, Furey and Weideman

NOES: Councilmembers Brewer, Sutherland and Mayor Scotto

RESOLUTION NO. 2014-81

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE
DENYING WITHOUT PREJUDICE A PRECISE PLAN AS PROVIDED FOR IN
DIVISION 9, CHAPTER 1, ARTICLE 41 OF THE TORRANCE MUNICIPAL CODE
TO ALLOW THE CONSTRUCTION OF A NEW TWO-STORY, SINGLE-FAMILY
RESIDENCE ON PROPERTY LOCATED IN THE HILLSIDE OVERLAY DISTRICT IN
THE R-1 ZONE AT 310 CALLE DE ARBOLES
PRE13-00004: KELLY HAMM (YUKIMO HAYASHIDA)

MOTION: Councilmember Weideman moved to adopt Resolution No. 2014-74. The motion was seconded by Councilmember Furey and passed as reflected in the following vote:

YES: Councilmembers Ashcraft, Barnett, Furey, Sutherland and Weideman

NOES: Councilmembers Brewer and Mayor Scotto

16. SECOND READING ORDINANCES

16A. SECOND AND FINAL READING OF ORDINANCE NO. 3773

ORDINANCE NO. 3773

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, AMENDING DIVISION 9 OF THE TORRANCE MUNICIPAL CODE TO RECLASSIFY CERTAIN PROPERTY LOCATED AT 1008 SARTORI AVENUE FROM P-1 DISTRICT (OPEN SPACE, PARKING, PLANTING) TO R-3 (LIMITED MULTIPLE-FAMILY RESIDENTIAL) **ZON14-00001: SWITZER CENTER (ROBERT STRINGFIELD)**

MOTION: Councilmember Weideman moved to adopt Ordinance No. 3773. The motion was seconded by Councilmember Furey and passed by unanimous vote.

17. ORAL COMMUNICATIONS #2

17A. Councilmember Barnett announced that the Torrance Cultural Arts Center will be holding an Open House on Saturday, June 21, 11:00 a.m. – 3:00 p.m.

17B. Councilmember Sutherland offer condolences to TUSD Board member Gary Kuwahara, whose father passed away earlier in the day.

17C. Mayor Scotto, with the concurrence of Council, requested that staff return with an item to subsidize the fees for the use of the Armstrong Theatre for the Employee Variety Show scheduled for Saturday, September 13, 2014, with proceeds to benefit the American Cancer Society.

18. EXECUTIVE SESSION

Considered earlier in the meeting, see page 1.

19. ADJOURNMENT

At 9:34 p.m., the meeting was adjourned to Tuesday, June 24, 2014, at 5:30 p.m. for an executive session, with the regular meeting 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 July 15, 2014