

May 11, 2004

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

1. CALL TO ORDER

The Torrance City Council convened in an adjourned regular meeting at 5:31 p.m. on May 11, 2004, in Council Chambers.

ROLL CALL

Present: Councilmembers Lieu, Mauno, McIntyre, Nowatka, Scotto, Witkowsky and Mayor Walker.

Absent: None.

Also Present: City Manager Jackson, City Attorney Fellows, City Clerk Herbers and other staff representatives.

17. EXECUTIVE SESSION

Mayor Walker reported "that subsequent to the posting of the agenda, the City Attorney appeared at a hearing with the Public Employee Relations Board regarding TCTA v. Torrance LA-CE-159-M. Due to the time frames involved, the staff believes that immediate action is necessary to instruct the City Attorney on this and associated cases AFSCME v. Torrance LA-CE-155 and LA-CE-163-M. The City Attorney has requested that the City Council add the item to the Council agenda and provide instruction during closed session on how to proceed.

Mayor Walker explained that in order to take action on a matter that is not on the agenda, the California Government Code requires a determination by a two-thirds vote of the Council that immediate action is necessary and that the need arose subsequent to the posting of the agenda."

MOTION: Councilmember Witkowsky moved to add the item to the closed session agenda for the City Council meeting of May 11, 2004. Councilmember Scotto seconded the motion and a roll call vote reflected unanimous approval.

The Council immediately recessed to closed session to confer with the City Manager and the City Attorney on the agenda matters listed under 17.a) Conference with Labor Negotiator; 17.b) Conference with Legal Counsel – Existing Litigation; and 17.c) Real Property – Conference with Real Property Negotiator pursuant to California Government Code Sections 54957.6, 54956.9 (a), and 54956.8.

At 5:33 p.m. the City Council recessed to closed session to consider matters listed in item 17 Executive session.

The City Council reconvened at 7:13 p.m.

2. FLAG SALUTE/INVOCATION

The Pledge of Allegiance was led by Councilmember McIntyre.

The invocation was given by Councilmember Scotto.

3. AFFIDAVIT OF POSTING/WAIVE FURTHER READING

MOTION: Councilmember Scotto moved to accept and file the report of the City Clerk on the posting of the agenda for this meeting. The motion was seconded by Councilmember Witkowsky and a voice vote reflected unanimous approval.

MOTION: Councilmember Scotto 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 Witkowsky and a roll call vote reflected unanimous approval.

4. WITHDRAWN OR DEFERRED ITEMS

None.

5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS

Councilmember Scotto reported that during closed session there had been a presentation regarding Torrance Park and he had recused himself as his business in the vicinity of the park.

Police Chief Herren announced Blue Ribbon Week was from May 9 through May 15 noting that a traditional memorial service, open to the public, would be held on Wednesday, May 12 at 10:00 a.m. in front of the police station to honor four officers lost in the city.

Councilmember Nowatka encouraged everyone to attend the 45th Annual Armed Forces Day Parade and Celebration from May 14 through May 16 with events and displays at the Del Amo Fashion Center, a Navy band performance Friday afternoon, and a parade at 1:30 p.m. on Saturday, May 15. He noted that the parade is one of only six Department of Defense sanctioned parades in the nation, and is the largest and the longest running parade in the country. This year a guided missile destroyer will be anchored off of Torrance Beach and the public is asked not to get too close to the ship due to wartime conditions.

6. COMMUNITY MATTERS

6A. RESOLUTION NO. 2004-45 RE 45TH ANNUAL ARMED FORCES DAY AND CELEBRATION

RESOLUTION NO. 2004-45

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE DECLARING MAY 14 THROUGH MAY 16, 2004 FOR OBSERVANCE OF THE 45TH ANNUAL ARMED FORCES DAY PARADE AND CELEBRATION.

MOTION: Councilmember Lieu moved to adopt Resolution No. 2004-45. Councilmember Scotto seconded the motion and a roll call vote reflected unanimous approval.

Councilmember Nowatka read the resolution which was received by Police Chief Herren who noted that the weekend was a way to recognize the men and women who

work to preserve our freedoms. He acknowledged Police Lieutenant Smith and the team who have worked to put together the parade.

6B. RESOLUTION NO. 2004-46 RE REAR ADMIRAL W. CLYDE MARSH AS GRAND MARSHAL OF THE 45TH ANNUAL ARMED FORCES DAY PARADE

RESOLUTION NO. 2004-46

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE EXPRESSING APPRECIATION TO REAR ADMIRAL W. CLYDE MARSH OF THE UNITED STATES NAVY FOR SERVING AS GRAND MARSHAL OF THE 45TH ANNUAL ARMED FORCES DAY PARADE AND CELEBRATION.

MOTION: Councilmember Mauno moved to adopt Resolution No. 2004-46. Councilmember Scotto seconded the motion and a roll call vote reflected unanimous approval.

Mayor Walker indicated that Rear Admiral Marsh would accept the resolution at the Armed Forces Day dinner on Saturday, May 15, 2004.

6C. RESOLUTION NO. 2004-49 RE POLICE SERGEANT STEVEN C. HARVEY

RESOLUTION NO. 2004-49

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE TO POSTHUMOUSLY COMMEND AND HONOR POLICE SERGEANT STEVEN C. HARVEY FOR HIS DEDICATION, PROFESSIONALISM, AND CONTRIBUTIONS TO THE CITY OF TORRANCE AND ITS CITIZENS.

MOTION: Councilmember Mauno moved to adopt Resolution No. 2004-49. Councilmember Scotto seconded the motion and a roll call vote reflected unanimous approval.

Police Chief Herren accepted the resolution on behalf of Mrs. Mary Harvey and he noted the importance of Mr. Harvey's efforts in the last six years of the Armed Forces Day Parade.

6D. PROCLAMATION RE OLDER AMERICANS MONTH

Mayor Walker issued a proclamation declaring the month of May 2004 as Older Americans Month in the City of Torrance, and urging all residents to acknowledge the men and women who have given so generously of their time and talents to improve the quality of life for all, to Carol Dean of the Commission on Aging.

Councilmember Witkowsky read the proclamation noting that older Americans should be referred to as life experienced Americans. Carol Dean thanked the Mayor and Council for the resolution on behalf of her fellow Commission members and all older residents in the City of Torrance.

6E. 2004 OLDER AMERICANS AWARD

Recommendation of the Commission on Aging and the Parks and Recreation Director that City Council recognize Harvey Horwich and Hilda Preston as recipients of the 2004 Older Americans Award.

Mayor Walker presented a plaque to Harvey Horwich noting that he had served on the City Council for 16 months to finish George Nakano's term when he became Assemblyman. Mr. Horwich thanked the Mayor and Council and stated that his wife June had supported him through his many endeavors working to help others in the City.

Mayor Walker presented a plaque to Hilda Preston who thanked the Mayor and Council noting that she felt humbled by the honor of helping people change their lives.

6F. PROCLAMATION RE ASIAN/PACIFIC AMERICAN HERITAGE MONTH

Councilmember Lieu read, and Mayor Walker issued a proclamation, declaring the month of May 2004 as Asian/Pacific American Heritage Month in the City of Torrance, encouraging all citizens to learn more about the history and contributions of Asian/Pacific Americans and celebrating their remarkable role in our national heritage and culture to Cable Television Advisory Board members Hazel Taniguchi and Richard Tsao, Community Services Commissioners Michael Ning and Diane Tanaka, Commission on Aging member May Amemiya, Parks and Recreation Commissioner Dean Mayeda, Environmental Quality and Energy Commissioner Linden Nishinaga, and Planning Commissioners Albert Muratsuchi and Ray Uchima.

Commissioners Mayeda and Nishinaga thanked the City Council for recognizing Asian Americans in Torrance.

7. CONSENT CALENDAR

7A. APPROVAL OF MINUTES OF MARCH 16, 2004

Recommendation

Approval of minutes of March 16, 2004.

7B. AMENDMENT RE PHASE IV SIDEWALK RAMPING AND GRINDING PROJECT

Recommendation

Recommendation of the **Acting Public Works Director** that City Council:

- 1) Approve an amendment to agreement with Project Partners (C2003-150) in the amount of \$13,000, for a total contract amount of \$45,000, for inspection services for Phase VI of the Sidewalk Ramping and Grinding Project; and
- 2) Authorize the Mayor to execute and the City Clerk to attest to said amendment.

7C. PUBLIC WORKS AGREEMENT RE DEMOLITION OF WELL NOS. 4 AND 5

Recommendation

Recommendation of the **Acting Public Works Director** that City Council:

- 1) Approve the specifications for the demolition of Well Nos. 4 and 5 on file in the City Clerk's Office (B2004-09);
- 2) Award a public works agreement to General Pump Company in the amount of \$49,520 and authorize a 5% contingency in the amount of \$2,476 for this project;

- 3) Authorize \$13,004 for staff construction management and inspection costs;
- 4) Appropriate \$65,000 from the Water Enterprise Fund to cover the costs for well demolition and staff construction management; and
- 5) Authorize the Mayor to execute and the City Clerk to attest to said agreement.

7D. PURCHASE RE LAPTOP COMPUTERS FOR EMERGENCY OPERATIONS CENTER

Recommendation

Recommendation of the **Information Technology Director** and the **Emergency Preparedness Team** that City Council approve the appropriation of \$30,000 from the General Fund Security Improvements Reserve to the Emergency Preparedness Project (FEAP #362) to be used for the purchase of ten (10) laptop computers for the Emergency Operation Center (EOC).

The **Chief of Police** and the **Emergency Preparedness Team** recommend that Council approve the appropriation of \$12,000 for a trailer for the South Bay Platoon.

7E. AGREEMENTS RE CALWORKS SUMMER WORK EXPERIENCE PROGRAM)

Recommendation

Recommendation of the **Human Resources Director** that City Council:

- 1) Accept and appropriate \$75,867 in CalWORKs youth funds to the Workforce Development Division budget;
- 2) Authorize the execution of CalWORKs service agreements with Southern California Regional Occupational Center (\$25,795) and Los Angeles Unified School District (\$38,692) to run a Summer Work Experience Component; and
- 3) Authorize the additional allowance of \$11,380 to fund City administration of these two program contracts.

Funding for the Workforce Development Division (WDD) budget comes from the County of Los Angeles Department of Community and Senior Services.

MOTION: Councilmember McIntyre moved to approve items 7a through 7e as written. Councilmember Scotto seconded the motion and a roll call vote reflected unanimous approval.

8. COMMUNITY SERVICES

8A. OPERATING PLANS RE ROLLER HOCKEY, BATTING CAGE AND SKATEBOARD PARK FACILITIES AT WILSON PARK

Recommendation of the **Parks and Recreation Commission** and the **Parks and Recreation Director** that City Council:

- 1) Approve operating plans for the Roller Hockey, Batting Cage, and Skateboard Park facilities at Wilson Park;
- 2) Appropriate \$557,655 to the Parks and Recreation Enterprise Fund Expenditure Budget for the annual operation of the Roller Hockey, Batting

- Cage, and Skateboard Park facilities, and increase the Fund's annual revenue budget by \$570,575 to offset the cost; and
- 3) Appropriate capital funds in the amount of \$54,760 to refurbish the Batting Cage and Skateboard Park facilities and provide for "startup" materials. (FEAP #478)

Parks and Recreation Director Barnett indicated that if the Council accepted the recommendation an operating plan and necessary budget would be established with a one time capital expenditure as a strategy to reopen the batting cage and skateboard park elements and join in a successful a roller hockey reopening.

Councilmember Scotto congratulated Parks and Recreation staff for a fine job with the roller hockey and he observed that people were coming from other cities and were on waiting lists. He felt staff had been conservative with their numbers and suggested they come back to the City Council to report in case hours need to be altered for the skateboard park. Parks and Recreation Director Barnett indicated that would provide an opportunity to evaluate the response to the opening and reports could be made quarterly or bi-annually.

In response to an inquiry from Councilmember Witkowsky, Parks and Recreation Director Barnett reported that they had started with a list of participants from the prior season and were fortunate to hire someone to coordinate the program who was familiar with the operation, resulting in more participation than they had thought with 700 rather than 500 signed up.

Councilmember McIntyre commended staff for a fine report and asked about the anticipated net loss in the skateboard park operation. Parks and Recreation Director Barnett explained that the anticipated loss was somewhat conservative as they had put a low number on what they expect to generate in first session participation. He indicated that of the three components, the skateboard park would take the most work and promotion but he felt with proper marketing and the combination of the three facilities there was a reasonable chance of success.

In response to an inquiry from Councilmember Nowatka, Administrative Analyst Witzansky indicated that the batting cages and skateboard park would reopen in mid-June or early July. He commented that prices had been reduced and were more reasonable and he felt that the skateboard park would turn a profit as there has been much interest in when it would be open again.

Councilmember Mauno suggested that skateboard park users be polled periodically to see if amenities need to be upgraded to generate greater use.

Mayor Walker reported receipt of a letter from the Lender Development Group with a plan to raise money for the facility and indicated that he had included it with his deliberations.

MOTION: Councilmember Scotto moved to accept the staff recommendation with the caveat that the skateboard park be reviewed in September. Councilmember Nowatka seconded the motion and a roll call vote reflected unanimous approval.

11. ADMINISTRATIVE MATTERS

11A. CONTINUED STATE OF LOCAL EMERGENCY FOR CAROLWOOD LANE AND SINGINGWOOD DRIVE

Recommendation of the City Manager and the City Attorney that City Council continue the state of local emergency, proclaimed March 2, 2001 for properties located on Carolwood Lane and Singingwood Drive.

MOTION: Councilmember Witkowsky moved to continue the state of local emergency for Carolwood Lane and Singingwood Drive. Councilmember McIntyre seconded the motion and a roll call vote reflected unanimous approval.

11B. RESOLUTION NO. 2004-54 RE TORRANCE CITY EMPLOYEES SERVING IN THE GUARD AND RESERVE FORCES

Recommendation of the City Manager that City Council adopt a Resolution in support of City of Torrance employees serving in the Guard and Reserve Forces and forward the adopted resolution to the Los Angeles County Board of Supervisors.

MOTION: Councilmember Scotto moved to accept the staff recommendation. Councilmember McIntyre seconded the motion and a roll call vote reflected unanimous approval.

RESOLUTION NO. 2004-54

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE IN SUPPORT OF THE EMPLOYEES OF THE CITY OF TORRANCE SERVING IN THE GUARD AND RESERVE FORCES.

MOTION: Councilmember Mauno moved to adopt Resolution No. 2004-54. Councilmember Witkowsky seconded the motion and a roll call vote reflected unanimous approval.

11C. RESOLUTIONS NO. 2004-55 THROUGH 2004-57 RE ENTITLEMENTS FOR PROPERTY AT 3531 TORRANCE BOULEVARD

Recommendation of the **Community Development Director** that City Council adopt Resolutions approving a series of entitlements allowing the development of a hotel on property located at 3531 Torrance Boulevard. **CUP03-00029, DVP03-00004, DIV03-00010: Robert F. Tuttle Architecture (Barrett Patel)**

MOTION: Councilmember McIntyre moved to approve the staff recommendation. Councilmember Witkowsky seconded the motion and motion carried by the following vote – Yes: Lieu, Mauno, McIntyre, Nowatka, Witkowsky, and Mayor Walker; No: Councilmember Scotto.

RESOLUTION NO. 2004-55

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE APPROVING A CONDITIONAL USE PERMIT AS PROVIDED FOR IN DIVISION 9, CHAPTER 5, ARTICLE 1 OF THE TORRANCE MUNICIPAL CODE TO ALLOW THE CONSTRUCTION AND OPERATION OF A 66-ROOM HOTEL ON PROPERTY LOCATED IN THE HAWTHORNE BOULEVARD CORRIDOR SPECIFIC PLAN DEL AMO BUSINESS SUB-DISTRICT TWO (HBCSP-DA-2) AT 3531 TORRANCE BOULEVARD.

CUP03-00029: ROBERT F. TUTTLE ARCHITECTURE (BARRETT PATEL)

MOTION: Councilmember Mauno moved to adopt Resolution No. 2004-55. Councilmember McIntyre seconded the motion and a roll call vote reflected the following:

YES: Councilmembers Lieu, Mauno, McIntyre, Witkowsky and Mayor Walker; NO: Councilmembers Nowatka and Scotto. Motion carried.

RESOLUTION NO. 2004-56

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE APPROVING A DEVELOPMENT PERMIT AS PROVIDED FOR IN DIVISION 9, CHAPTER 5, ARTICLE 1 OF THE TORRANCE MUNICIPAL CODE TO ALLOW THE CONSTRUCTION AND OPERATION OF A 66-ROOM HOTEL ON PROPERTY LOCATED IN THE HAWTHORNE BOULEVARD CORRIDOR SPECIFIC PLAN DEL AMO BUSINESS SUB-DISTRICT TWO (HBCP-DA-2) AT 3531 TORRANCE BOULEVARD.

DVP03-00004: ROBERT F. TUTTLE ARCHITECTURE (BARRETT PATEL)

MOTION: Councilmember Mauno moved to adopt Resolution No. 2004-56. Councilmember McIntyre seconded the motion and a roll call vote reflected the following: YES: Councilmembers Lieu, Mauno, McIntyre, Witkowsky and Mayor Walker, NO: Councilmembers Nowatka and Scotto. Motion carried.

RESOLUTION NO. 2004-57

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE APPROVING A DIVISION OF LOT AS PROVIDED FOR IN DIVISION 9, CHAPTER 2, ARTICLE 29 OF THE TORRANCE MUNICIPAL CODE ALLOWING THE MERGER OF TWO LOTS INTO ONE PARCEL ON PROPERTY LOCATED IN THE HAWTHORNE BOULEVARD CORRIDOR SPECIFIC PLAN DEL AMO BUSINESS SUB-DISTRICT TWO (HBCSP-DA-2) AT 3531 TORRANCE BOULEVARD.

DIV03-00010: ROBERT F. TUTTLE ARCHITECTURE (BARRETT PATEL)

MOTION: Councilmember Mauno moved to adopt Resolution No. 2004-57. Councilmember McIntyre seconded the motion and a roll call vote reflected the following: YES: Councilmembers Lieu, Mauno, McIntyre, Witkowsky and Mayor Walker, NO: Councilmembers Nowatka and Scotto. Motion carried.

11D. VOTING DELEGATE FOR THE LEAGUE OF CALIFORNIA CITIES

Recommendation of the City Manager that City Council designate Councilman Mauno as voting delegate to represent the City of Torrance at the League of California Cities General Assembly on May 13, 2004.

MOTION: Councilmember Witkowsky moved to designate Councilmember Mauno as voting delegate to represent the City of Torrance at the League of California Cities General Assembly on May 13, 2004. Councilmember Scotto seconded the motion and a roll call vote reflected unanimous approval.

12. HEARINGS

12A. VAR04-00001: SMITH RE 1520 FERN AVENUE AND 2619 SONOMA AVENUE

Recommendation of the **Planning Commission** that City Council adopt a Resolution approving a variance to allow the retention of a second residential unit

on property located in the R-1 Zone at 1520 Fern Avenue and 2619 Sonoma Avenue.

The **Community Development Director** recommends that City Council adopt a Resolution denying the requested variance. **VAR04-00001: BARBARA SMITH**

Mayor Walker opened the public hearing at 8:01 p.m.

Planning Manager Isomoto reported that the applicant was requesting permission to allow the retention of two single family homes on one R-1 lot. She indicated that the second home was built in 1963 with a variance for 20 years. A second variance was granted in 1983 and the current owner is again requesting a variance to allow the second unit to remain. She stated that staff recommended the denial as the zone is R-1 which dictates one unit, but she pointed out that there had never been any complaints. The Planning Commission had approved the variances with a vote of 4-1.

In response to an inquiry from Councilmember Scotto, Planning Manager Isomoto indicated that this property was an isolated instance and explained that earlier rules limited the variance to 20 years, but the current variance could extend for the life of the structure.

Councilmember Scotto pointed out that there is no way for the city to know if the variance expires and that the owner was honest in coming forward.

MOTION: Councilmember Mauno moved to close the public hearing at 8:04 p.m. Councilmember Scotto seconded the motion and a roll call vote reflected unanimous approval.

MOTION: Councilmember Mauno moved to concur with the Planning Commission recommendation. Councilmember Scotto seconded the motion and a roll call vote reflected unanimous approval.

MOTION: Councilmember Scotto moved to waive all fees with regard to the matter. Councilmember Witkowsky seconded the motion and a roll call vote reflected unanimous approval.

RESOLUTION NO. 2004-58

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA GRANTING A VARIANCE FROM THE PROVISIONS OF DIVISION 9, CHAPTER 4, ARTICLE 1 OF THE TORRANCE MUNICIPAL CODE TO ALLOW THE RETENTION AND CONTINUED USE OF A SECOND SINGLE-FAMILY RESIDENCE ON AN R-1 LOT AT 1520 FERN AVENUE/ 2619 SONOMA STREET. VAR04-00001: BARBARA J. SMITH

MOTION: Councilmember Mauno moved to adopt Resolution No. 2004-58. Councilmember Scotto seconded the motion and a roll call vote reflected unanimous approval.

MOTION: Mayor Walker moved to waive all fees. Councilmember Witkowsky seconded the motion and a roll call vote reflected unanimous approval.

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The Torrance Redevelopment Agency met from 8:06 p.m. to 8:07 p.m.

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16. ORAL COMMUNICATIONS

16A. Councilmember Lieu indicated that he was honored to go to the White House to lobby to keep the City of Los Angeles Air Force Base open. The base closure list comes out in May 2005 and Councilmember Lieu was part of a United California Congressional delegation that worked to establish the military value of the base and to demonstrate the devastating economic impact a closure would have on the South Bay region.

16B. Councilmember Mauno thanked Councilmember Lieu for going to the White House to fight the possible base closure.

16C. Councilmember Mauno thanked Harvey and June Horwich for their dedication and hard work with the Special Olympics.

16D. Councilmember Mauno reported on the progress of his two year quest to get a Coast Guard Cutter named after the City of Torrance in SB733.

16E. Councilmember McIntyre commended her neighbor, Joanie Paour, who successfully pulled off the 50 year reunion for the Torrance High Class of 1954 and she recounted the saga of a class ring that was lost and found three times on Torrance Beach in fifty years and at last returned to its rightful owner.

16F. Councilmember Witkowsky noted she was looking forward to the Armed Forces Parade.

16G. Councilmember Witkowsky complimented Fire Chief Bongard on a well attended Fire Service Day.

17. EXECUTIVE SESSION

Considered earlier in the meeting.

18. ADJOURNMENT

At 8:14 p.m., the meeting was adjourned to Tuesday, May 18, 2004 at 5:30 p.m., for an executive session, with the regular meeting commencing at 7:00 p.m. in Council Chambers.

Attest:

/s/ Dan Walker

Mayor of the City of Torrance

/s/ Sue Herbers

Sue Herbers, CMC
City Clerk of the City of Torrance

Approved on July 13, 2004