

August 24, 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 6:32 p.m. on August 24, 2004, in Council Chambers.

ROLL CALL

Present: Councilmembers Lieu, McIntyre, Nowatka, Mauno, 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 became aware of the need to dispose of surplus property consisting of office furniture by transferring it to the State of California. It is necessary for the Council to take immediate action. The City Manager asks that the Council add this item to tonight's agenda.

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 to take action arose subsequent to the posting of the agenda.

MOTION: Councilmember Nowatka moved to add item 11b to the Council agenda. Councilmember McIntyre seconded the motion and a roll call vote reflected unanimous approval.

Mayor Walker indicated that the City Council would consider the item as part of tonight's public session agenda pursuant to California Government Code Section 54954.2(b)2.

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 and 17.b) Real Property – Conference with Real Property Negotiator pursuant to California Government Code Sections 54957.6 and 54956.8.

The City Council reconvened at 7:01 p.m.

2. FLAG SALUTE/INVOCATION

The Pledge of Allegiance was led by Councilmember Lieu.

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

City Manager Jackson indicated that they had added item 11b to the agenda, requested that item 7j be removed from the agenda and he noted that item 12a is a deferral of an item.

5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS

None.

6. COMMUNITY MATTERS

6a. RESOLUTION NO. 2004-106 RE RICHARD P. PERKINS

RESOLUTION NO. 2004-106

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING RICHARD P. PERKINS UPON HIS RETIREMENT FROM THE CITY AFTER THIRTY-EIGHT YEARS OF SERVICE.

MOTION: Councilmember Witkowsky moved to adopt Resolution No. 2004-106. Councilmember Nowatka seconded the motion and a roll call vote reflected unanimous approval.

Councilmember Nowatka read the resolution and Mr. Perkins offered recollections of Torrance from 1965 to the present noting that it was a requirement to live in the City when he first started working with the City. He related that one of the biggest challenges he undertook was to convert from ink on linen maps to electronic based mapping which became the GIS system still in use today. Mr. Perkins introduced his family and thanked his wife, Georgia, the City Manager, the Permits and Inspection Division, and the Capital Projects Division.

6b. RECOGNITION OF CENTRAL TORRANCE JETS SOCCER TEAM

Mayor Walker presented certificates to Head Coach Brenny Ortega for players, Nikolette Brannan, Brittany Brown, Taylor Eastburn, Abigail Fransisco, Crystal Herrera, Victoria Huddleston, Breanna Ortega, Brittney Ortega, Sarah Song, Katie Strelitz, Melanie Vaughn, Kristie Wand, Ashley Whitlock, Danielle Whitlock and Assistant Coaches Brenny Ortega, Jr., Nacho Herrera, Chris Eastburn and Kevin Brown.

Head Coach Brenny Ortega thanked the Mayor and Council for the special recognition of the players and he presented certificates to those players present.

6c. RECOGNITION OF PARKS AND RECREATION DIRECTOR BARNETT

Recognition of Parks and Recreation Director **Gene Barnett** for his support of the Torrance Kendo Club by Assemblyman George Nakano.

Senior Field Representative Stacey Toda appeared on behalf of Assemblyman George Nakano, a founding member of the Torrance Kendo Club which recently celebrated its 30th anniversary. She related that Assemblyman Nakano acknowledges the fact that the Club never would have happened without the assistance of Parks and Recreation Director Barnett. Ms. Toda presented a plaque from the State of California to Parks and Recreation Director Barnett for all of his work for the Torrance Kendo Club on behalf of Assemblyman Nakano.

Parks and Recreation Director Barnett thanked Assemblyman Nakano noting that the Torrance Kendo Club had been a charter organization of the Parks and Recreation Department since 1974 and over the years there had been a number of employees that had lent their support and assistance to make the Torrance Kendo Club the fine organization that it is, and he accepted the plaque on behalf of all of those employees.

6d. PROCLAMATION RE 19TH ANNUAL OKTOBERFEST

Proclamation for commendation to those organizations supporting the **19th Annual Oktoberfest Fundraiser** at Alpine Village on Saturday, September 11, 2004 at 6:00 p.m., and also to owners Hans and Teri Rotter for their dedication to charities serving the Torrance and South Bay community.

Councilmember Witkowsky read the proclamation and Teri Rotter noted that last year they had raised \$427,000 with the help of the Daily Breeze, Help the Homeless Help Themselves, Carl E. Wynn Foundation, Knights of Columbus, Sommerville Plywood, LTU Airlines, Sertomas of Torrance, Sons of Italy, BP, Hawthorne Healthy Start Collaborative, Clark Construction, Hugo Neu-Proler Company, St. Lawrence Martyr Golf Club, St. John Fisher Catholic Church, Peninsula Pontiac GMC Buick, Mellon First Business Bank, Anastasi Development Company, Newmans Vacation, Westside Concrete, California Endowment, Tim Meyers Scholarship Fund, Granstrom Masonry Inc., Little Company of Mary Hospital, SBC, Port of Los Angeles, Mercedes Benz of Long Beach and Alpine Village. Ms. Rotter thanked the City for recognizing the generosity of the charities and presented certificates to those representatives who were present noting that donations ranged from \$1,500 to \$20,000 and this year one group had donated \$25,000.

7. CONSENT CALENDAR

7a. APPROVAL OF MINUTES OF JUNE 8 AND JUNE 15, 2004

Recommendation

Approval of minutes of June 8, 2004 and June 15, 2004.

7b. JULY MONTHLY INVESTMENT REPORT

Recommendation

Recommendation of the **City Treasurer** that City Council accept and file the monthly investment report for the month of July 2004.

7c. BJA LOCAL LAW ENFORCEMENT BLOCK GRANT LOCAL ADVISORY BOARD APPOINTEES

Recommendation

Recommendation of the **Chief of Police** that City Council:

- 1) Appoint the individuals to the BJA Local Law Enforcement Block Grant Local Advisory Board;
- 2) Identify Board duties; and
- 3) Establish a sunset for the Board's authority to meet.

7d. **ESTABLISHED OVERALL ANNUAL DBE GOAL FOR FEDERAL FISCAL YEAR 2005**

Recommendation

Recommendation of the **Transit Director** that City Council authorize the approval of the Established Overall Annual DBE Goal for Federal Fiscal Year 2005, to facilitate timely submission to the Federal Transit Administration (FTA) for funding authority approval by September 1, 2004, on behalf of the Torrance Transit System.

7e. **CONTRACT RENEWAL RE COMMUTER TRANSPORTATION CONSULTANT**

Recommendation

Recommendation of the **Human Resources Director** that City Council approve a contract renewal with Kim Fuentes, the Commuter Transportation Consultant (Rideshare) Program Coordinator in the amount of \$52,920, for the period of September 7, 2004 through June 30, 2005. Funds are available in the 2004-2005 Rideshare Program Budget. These funds are non-General Fund, and are restricted funds from AB2766 (Department of Motor Vehicles fee) that may only be used for mobile emission reduction activities.

7f. **CONTRACT AGREEMENT RE ARTESIA BOULEVARD LANDSCAPE PROJECT**

Recommendation

Recommendation of the **Community Development Director** that City Council:

- 1) Approve a contract services agreement in the amount of \$74,735 with Berryman & Henigar, Inc. to perform construction inspection services for the Artesia Boulevard Landscape Project (B2004-16); STPLER-5249 (012); and
- 2) Authorize the Mayor to execute and the City Clerk to attest to said agreement.

7g. **AGREEMENT AMENDMENT RE WORKSOURCE CENTER NETWORK SUPPORT**

Recommendation

Recommendation of the **Human Resources Director** that City Council execute Amendment Three to consulting services agreement with Network Operations Center, Inc. (C2003-050) extending the agreement to provide network support for the WorkSource Centers to June 30, 2005 and increasing the agreement amount not to exceed \$55,000. Funding is available in the adopted 2004-2005 Human Resources Workforce Development Division (HR/WDD) budget.

7h. **PURCHASE ORDER RE ASPHALT PLANT MIX**

Recommendation

Recommendation of the **Acting Public Works Director** that City Council authorize a purchase order to be issued to Sully-Miller Contracting Company of

Anaheim, CA in the amount not to exceed \$400,000, for the sole source purchase of asphalt plant mix on an as needed basis, from September 11, 2004 through September 10, 2005.

7i. AGREEMENT AMENDMENT RE CITYWIDE TRAFFIC COUNT SERVICES

Recommendation

Recommendation of the **Community Development Director** that City Council execute an amendment to the existing consulting services agreement with Transportation Studies, Inc. (C2002-226) to extend its service to June 30, 2005 with the remaining balance of \$8,600 from the existing contract.

7j. LICENSE AGREEMENT RE PENSKE CADILLAC EMPLOYEES VEHICLES

Recommendation

Recommendation of the **Parks and Recreation Director** and the **Land Management Team** that City Council approve a license agreement with Penske Cadillac South Bay Inc., allowing them to park no more than 50 employee vehicles, associated with the current dealership renovation project, on Columbia Park's northwest parking lot at a fee of \$5 per vehicle per day.

7k. CITY COUNCIL MEETING VIDEOS AT TORRANCE PUBLIC LIBRARIES

Recommendation

Recommendation of the **City Manager** that City Council:

- 1) Approve video copies of Torrance City Council meetings be made available on Digital Video Disc ("DVD") at all Torrance Public Libraries for check-out; and
- 2) Appropriate \$3,456 from the Cable TV Fund Balance.

7l. CONTRACT RE DEMOLITION OF FORMER CITY WATER YARD

Recommendation

Recommendation of the **General Services Director** that City Council:

- 1) Award a contract to J & G Industries Inc. for \$77,575 with a 5% contingency of \$3,879 for the demolition of the former City Water Yard (B2004-19);
- 2) Authorize 10% project management fees of \$7,757; and
- 3) Appropriate \$89,211 from the Water Enterprise Fund for demolition of the former City Water Yard (FEAP #484).

7m. PURCHASE ORDER RE HONDA ACCORD LX SEDANS

Recommendation

Recommendation of the **General Services Director** that City Council authorize the award of a purchase order to Honda World Downey, of Downey, CA in the amount of \$66,599.04 including sales tax, to furnish three (3) year 2004 Honda Accord LX sedans. (B2004-34)

7n. PURCHASE ORDER RE TOYOTACAMRY LE 4-DOOR SEDANS

Recommendation

Recommendation of the **General Services Director** that City Council authorize the award of a purchase order to South Bay Toyota of Gardena, CA in the amount of \$45,334.28 including sales tax, to furnish two (2) 2005 Toyota Camry LE 4 Door sedans. (B2004-33)

7o. **PURCHASE ORDER RE NISSAN MAXIMA 4-DOOR SEDANS**

Recommendation

Recommendation of the **General Services Director** that City Council authorize the award of a purchase order to Gardena Nissan, Inc. of Gardena, CA in the amount of \$52,754.20 including sales tax, to furnish two (2) 2004 Nissan Maxima 4-Door sedans. (B2004-32)

7p. PURCHASE AGREEMENTS RE ANNUAL LIBRARY SUPPLIES FOR FISCAL YEAR 2004-2005

Recommendation

Recommendation of the **City Librarian** that City Council authorize purchase agreements in a combined total not to exceed \$469,000 to: Baker and Taylor of Reno, NV in an amount of \$300,000; Gale Group in the amount of \$76,000; ProQuest Information and Learning of Ann Arbor, MI in the amount of \$40,000; Baker and Taylor Entertainment of Reno, NV in the amount of \$20,000; Random House, Inc. of Finksburg, MD in the amount of \$20,000; and Demco Company of Williamsport, PA in the amount of \$13,000. These are for the purchase of the annual requirement of various books, audio and video materials, electronic databases, and miscellaneous library supplies on an as needed basis for the Torrance Library system for Fiscal Year 2004-2005.

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

Jose Santome, Gramercy Avenue, with regard to items 7m, 7n and 7o, questioned what the reasons were for not buying American cars. He reported finding better prices on the Internet for the same vehicles and he asked why there were no electric vehicles or vehicles friendly to the environment being purchased.

Mayor Walker pointed out that that the national headquarters for two of the companies were located in Torrance and City Manager Jackson noted that the cars were to be used for undercover vehicles and would need to be less identifiable and fit in with the general fleet. Police Chief Herren confirmed that the cars were not to be used for executives but were for specialized police purposes. He stated that these types of cars blend in very well with commuting vehicles and are very dependable. City Manager Jackson indicated that there were electrical vehicles in the fleet and the City continues to examine where alternative fuel vehicles can be used as part of operations in the most effective way.

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

11b. DONATION OF SURPLUS PROPERTY RE TORRANCE WORKSOURCE CENTER

The **Human Resources Director** recommends that the City Council approve the donation of twenty-four (24) surplus 8' x 8' powered cubicles located at 1220 Engracia to the State of California.

Workforce Development Manager Unangst reported that the City had been in negotiations with the state for several weeks on a way to effectively provide community service and provide a smooth transition.

City Attorney Fellows pointed out that if the Council accepted the staff recommendation the City would need to ascertain that there are no conditions with the grant funds used to purchase the equipment that would prevent the City from transferring the items to the state.

Councilmember Witkowsky asked whether installation costs could be recouped and Workforce Development Manager Unangst clarified that the equipment was to be donated and the installation costs of \$6,000-\$8,000 can not be recouped. In January 1999 there were many partners on site as well as state staff, but with the changes in the budget, resources have been consolidated.

Councilmember Witkowsky indicated that she was aware of non-profit agencies that could use this equipment and she questioned how it was determined who received the donation. Workforce Manager Unangst explained that dismantling the cubicles has a significant cost as they are electrified and not portable.

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

12. **HEARINGS**

12a. **EAS03-00015, CUP03-00053, PRE03-00038, TTM60807, AND WAV03-00024 AT 6226 PACIFIC COAST HIGHWAY**

Recommendation of the **Community Development Director** that City Council re-open and continue the public hearing for property located in the Hillside Overlay District, in the R-3 zone at 6226 Pacific Coast Highway to the City Council meeting of September 14, 2004.

EAS03-00015, CUP03-00053, PRE03-00038, TTM60807, WAV03-00024: RIVIERA COLONY, LLC (DOUG MAUPIN) - RESOLUTIONS

Mayor Walker clarified that the appellant, Mrs. Langdon had requested the continuance and Councilmember Witkowsky received clarification that the matter would not be re-advertised since it was continued to a date certain.

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

12b. **RESOLUTION NO. 2004-107 RE CONFORMANCE WITH LOCAL CONGESTION MANAGEMENT PROGRAM REQUIREMENTS**

Recommendation of the **Community Development Director** that City Council:

- 1) Conduct a public hearing as required by the Congestion Management Program of the Los Angeles County Metropolitan Transportation Authority;
- 2) Adopt a **RESOLUTION** to self-certify that the City of Torrance is in conformance with local Congestion Management Program (CMP) requirements; and,

- 3) Direct staff to submit the CMP Local Implementation Report (LIR) as required by the Los Angeles County Metropolitan Transportation Authority.

Mayor Walker opened the public hearing at 7:41 p.m.

Bonnie Mae Barnard, Gramercy Avenue, questioned why the City would self certify rather than going to an outside organization, noting that she was concerned due to previous instances where staff has indicated no environmental impact.

Transportation Manager Semaan stated this was the normal process, it is a self certification that is required and the data that is supportive to this is strictly off of building permits so there are records to support the data.

MOTION: At 7:43 p.m. Councilmember McIntyre moved to close the public hearing. Councilmember Scotto seconded the motion and a roll call vote reflected unanimous approval.

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

RESOLUTION NO. 2004-107

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA FINDING THE CITY OF TORRANCE TO BE IN CONFORMANCE WITH THE CONGESTION MANAGEMENT PROGRAM (CMP) AND ADOPTING THE CMP LOCAL DEVELOPMENT REPORT IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 65089.

MOTION: Councilmember Mauno moved to adopt Resolution No. 2004-107. Councilmember Witkowsky seconded the motion and a roll call vote reflected unanimous approval.

12c. URGENCY ORDINANCE NO. 3560 RE CONSTRUCTION MORATORIUM

Recommendation of the **Community Development Director** that City Council consider:

- 1) Adoption of an interim zoning **ORDINANCE** as an urgency measure establishing a temporary moratorium on the approval or issuance of permits for the construction of residential developments of ten or more units; and
- 2) Approval of an **Ordinance Summary** for publication.

Mayor Walker opened the public hearing at 7:45 p.m.

Senior Planning Associate Chun reported that on August 10, 2004 the City Council considered a draft moratorium item for residential development of 10 or more units. A motion to adopt a modified ordinance that would have applied to three residential units or more failed. On August 17, 2004 the Council voted to reconsider the matter at the next meeting. As requested the revised ordinance for a moratorium of three or more units with findings as revised at the August 10 meeting is brought forward. Projects that are vested and applications accepted as complete by the Community Development Department as of August 10, 2004 are still exempted from the draft moratorium ordinance. Several other scrivener changes were also made to the ordinance and are bolded in the text. Staff has provided three additional findings and supplemental material

is provided including a memo from the City Clerk and public correspondence.

Mayor Walker indicated that all public comments and correspondence and all other materials from the previous hearing would be incorporated into this evening's hearing.

Councilmember McIntyre commented that she had asked for the matter to be reconsidered and she has reviewed the tape from the meeting of August 10, 2004. She observed that land development is an old issue noting that the central issue in Chekhov's "The Cherry Orchard" written in 1904 was development vs. quality of life with the play ending with the destruction of a cherry orchard and the development of a housing estate. She indicated that she had read what has been presented from staff and she found the additional findings rather compelling. Those findings indicate that there is certainly a limited amount of vacant land zoned for residential use and therefore a comprehensive study of that land use is necessary. The second new finding is that new development currently taking place may have a cumulative impact on present and future development. The third finding indicates that the City is in the initial stages of creating a development fee impact program with the intent of that program being that the development community contributes fees for infrastructure improvements. Councilmember McIntyre asserted that with the initial findings and these findings she found this particular moratorium to be a compelling issue and she indicated her support for it.

Councilmember Mauno noted that two weeks ago he was the lone Councilmember who did not support the moratorium. Since that time he reported being contacted by many who had concerns with his vote and in the spirit of cooperation and openness he indicated that he would support the moratorium of 45 days. He expressed concerns beyond 45 days and reiterated why he did not support the moratorium two weeks ago.

Councilmember Mauno felt that if he could not support a moratorium after 45 days it would be disingenuous to support it for 45 days and he indicated that he was trying to be genuine and be up front. He felt what was presented was an issue of fairness and his intent was to be equitable and fair as many of the large developments were vested while many smaller ones were not because they could not get permits.

Councilmember Mauno also felt that the Council could exercise better discretion and have an unofficial moratorium noting that the Council does not have to approve every project that comes before them. He was pleased to see the Daily Breeze had a running tab of Council votes which showed that he had voted for the least number of units, averaging 60% less units than his colleagues voted for. Councilmember Mauno pointed out that he had exercised discretion and felt the Council should all do that also. He asserted that accountability was important and noted that the moratorium would conveniently remove the measuring stick that the public uses to evaluate Councilmembers which is how they use their discretion to approve or deny projects.

Councilmember Mauno indicated that he relied upon his experience as a Planning Commissioner and though he shares the same concerns as his colleagues, he uses a different process to get there. He recently reviewed the General Plan concerning issues of land use, circulation conservation, open space, recreation, noise, safety and housing, noting that all those issues are intertwined and if you try to rush to a judgment on one issue there are interrelationships with the others. He felt the Council was rushing to try to

do something that might not be the right way to get there in the long run and suggested that the Council could run an unofficial moratorium and exercise proper discretion.

Councilmember Mauno stated that in the spirit of openness and trying to keep an open mind, he would support the 45 day moratorium.

Councilmember Lieu noted that last month he had proposed the moratorium and he was disappointed two weeks ago when it did not pass. He expressed hope that the moratorium would pass this evening and thanked Councilmember McIntyre for bringing the item back for consideration and Councilmember Mauno for his comments in favor of the moratorium.

Linda Gottshall-Sayed, Denora Avenue, President of West Torrance Homeowners Association, indicated that they supported a moratorium on this issue for an initial study by the City Council and staff to look at the issues generated by the hearing regarding schools, congestion, traffic, etc. She asked that the Council and staff include every homeowners association president and significant representative of the community including Sandy Monda in any and all meetings that occur in the next 45 days so they can be part of the process. Her understanding of the moratorium is that it is an initial 45 days which can be extended after that if evidence supports that. During the 45 days she feels it is important to look at everything and get input from the community.

The Daily Breeze article referred to by Councilmember Mauno published the Council voting record but she felt it inaccurately portrayed how approvals were made for planning issues. The Planning Commission serves at the discretion and recommendation of the City Council and every Councilmember has a full record of what the Planning Commission has approved when they are looking at new issues that come before them on appeal. Ms. Gottshall-Sayed asserted that any suggestions or inferences that the Planning Commission is responsible for over development would be improper and inaccurate and she was sure that every Councilmember would take responsibility for the duties that they have to oversee the betterment of Torrance and not pawn it off on the Commission.

Ms Gottshall-Sayed asked that Councilmember Witkowsky keep an open mind at the end of the 45 day period adding that she was sure Councilmember Witkowsky didn't mean to suggest that she had pre-judged the issue at the end of the 45 day period of time. There will be much done during the moratorium and if the Council is disinclined to continue the moratorium after 45 days, she proposed that the Council consider adopting a resolution that would prohibit the exercise of any discretion in applying the General Plan to any new projects including no new zone changes, no waivers or anything else until the new updated General Plan has been completed.

Tom Brewer, President, Southwood Riviera Homeowner's Association, spoke as a representative of people who have contacted him and would like to see an extension of the moratorium when this is over noting that there is a feeling among members of his association that the 45 day moratorium is a way of placating residents and they would like to see it extended for a full year.

City Attorney Fellows indicated that was not something that the Council could commit to this evening. If the Council adopts the interim urgency ordinance, 35 days from tonight staff will have to come back with a report explaining measures taken to alleviate the condition that led to the adoption of the ordinance. In addition, at the end of

the 45 days when the Council considers extension of any moratorium that might be adopted tonight, because the ordinance is going to have the effect of denying approvals needed for the development of projects with a significant component of multi-family housing which is considered to be any housing project proposed over 1/3 of which is multi-family housing, the Council will have to make findings that the ordinance may not be extended unless they can find, supported by substantial evidence on the record, that all of the following conditions exist:

1. Continued approval of the development of multi-family housing projects would have a specific adverse impact on the public health or safety. As used in the paragraph, a specific adverse impact means a significant, quantifiable direct and unavoidable impact based on objective identified written public health or safety standards, policies or conditions as they existed on the date that the ordinance was adopted by the legislative body.
2. The interim ordinance is necessary to mitigate or avoid the specific adverse impact identified pursuant to paragraph one.
3. There is no feasible alternative to satisfactorily mitigate or avoid the specific adverse impact identified pursuant to paragraph one as well or better with a less burdensome or restrictive effect than the adoption of the proposed interim ordinance.

City Attorney Fellows indicated that because they will have to make findings in 45 days supported by substantial evidence on the record it is highly premature at this point to express support for an extension now.

In response to an inquiry from Mayor Walker, City Attorney Fellows indicated that the Council would need to make the same findings for a six month moratorium as for a 45 day moratorium but once the shorter period of time is chosen there is no way to capture the difference. If they chose six months and 45 days, at the end of that period the second one year extension would still be available under the state statute but that would be all you could get at that point.

Josey Vanderpos, spoke on behalf of the Walteria Homeowners Association, whose members have contacted her and expressed support for the moratorium. She indicated that 1,618 units were currently in the approval process with more to come and she questioned when the City would take a stance and acknowledge the adverse impact on schools, roads, community, services and the elderly. She asked that the Council please consider those issues and support the moratorium for 45 days and more.

Curtis Reeder, West 236th Place, thanked Councilmember McIntyre for bringing the matter up and asked why her vote had not been delivered by proxy for the hearing of August 10. Mayor Walker explained that was not legally allowable. Councilmember McIntyre reported that she had been ill with food poisoning on the night of the original hearing. Mr. Reeder expressed support for the moratorium citing concerns with the future of schools and traffic. He reported buying in the City for the schools and he has heard many teachers complain about overcrowding. Mr. Reeder took issue with Mayor Walker's statements on Channel 9 news that there had only been 210 individual units built in the last 4½ years which conflicted with an August 14 Daily Breeze article which reported that 20 out of 21 projects have been approved which will create 841 condos and town houses. He expressed frustration with the conflicting numbers and a lack of confidence in the City, adding that the moratorium was necessary to get clear on the facts. He also pointed out that Torrance had the lowest increase in housing prices in the

area.

Mayor Walker commented that he had created a website where he posted a reprint of a staff report of every development that has been approved since the 2000 election and that report stated all the units, FARs etc., with a separate chart that includes everything that has been approved since he was elected Mayor. In the TV interview he discussed the number of units built since the 2000 election when Councilmembers Scotto, Witkowsky, Nowatka and himself joined the Council and what their voting records were.

Mayor Walker commented that there had been a lot of development in front of the Council in two years time and Mr. Reeder is adding housing into the figures that has not been constructed yet and he is allocating traffic to housing that has not been constructed yet. The bottom line is that projects approved since he has been Mayor have not been built yet, they are in the beginning phases of construction. Mayor Walker clarified that with regard to schools, every time an item comes before the Council schools are contacted and made aware of the impact. He indicated that a permit process allows students from outside of the City to attend Torrance schools and those students are displaced when students from the new homes are ready to attend so new construction does not have an appreciable impact on school overcrowding.

Mayor Walker stated the he understood Mr. Reeder's frustrations and encouraged him to look at all the information on his website and in the Daily Breeze, put it together and he offered to go over it with him.

Mr. Reeder pointed out that the units have been approved but not built so traffic and schools will be affected in the future and he felt that Mayor Walker needed to look toward the future rather than be so focused on the present and that is why a moratorium is necessary. Mr. Reeder pointed out that the only provision with regard to schools is on the environmental checklist report which allocates \$2.14 for every square foot of development and he did not feel that money was going to fix or change the overcrowding of the schools.

Judy Weber, Border Avenue, indicated that she has heard from many political rallies that one written letter to the Federal government has the impact of 20,000 constituents' opinions and she questioned how many opinions are expressed by one person who has the will to come up and speak before the Council. She thanked Councilmember Mauno for his comments and noted that it was apparent to her that for everyone who comes up before the Council that there are many more, possibly thousands more who do not come to speak.

Ms. Weber expressed concerns with overbuilding in her hometown, noting that the City has not had time to look at the impact of developments in process which is why a moratorium is necessary to allow time for a study of the impact that the projects which have already been approved will have on the City. Now there will be time to consider the utilization of streets, traffic, water, sewage, waste management, number of students in schools and do a real EIR. She added that each citizen that comes before the Council does so out of concern for their own quality of life, they are not here to lobby for approval of their own developments where they will make money and leave. They actually live here.

Ms. Weber pointed out that every single one of the developments is having to apply for a conditional use permit, and if the City followed the code implicitly without

granting waivers, variances, CUPs, etc., the City would not have the same issues they have now. The moratorium will provide the Community Development Department the breathing room to set up the agenda for a new General Plan with guidelines for construction, population, density and historical preservation that can and will be applied to all property owners who reside in the City equally. She thanked the Council for the suggested Environmental Impact fee and she likened the development in the City to Walmart which provides lots of low paying jobs, but they are not quality jobs and people have decided the impact is not good. Needs are being filled for jobs and housing but what is the quality of that? The moratorium will provide a chance to consider these things.

Arthur Evans, Sepulveda Boulevard, related that in a meeting to go over the ordinance for the Hawthorne Boulevard Plan back in 2002, a representative from the school district spoke at length about reducing class sizes and when Mr. Evans questioned how many elementary schools were going to be built in the future the answer was none as there is no room to build and no money to build. The only way to make more room would be to add trailers at the schools.

Mr. Evans reported that the corridor agreement was in two sectors and he indicated D1 did not include housing. In response to his concerns, Mayor Walker clarified that was not where the 900 houses would be.

Mr. Evans asserted that the Council had approved 7 projects since they had been installed, and some of the 7 were not approved by the Planning Commission. He wondered what developments would be coming in the future and felt that the moratorium should be 6 months instead of 45 days and the City should set up communication with the Planning Commission to find out if schools can take care of the property before the matter come before Council. He felt there should be more coordination at the lower level before matters come to the Council and he invited Councilmembers to come to 3901 - 4405 Sepulveda Boulevard between the hours of 2 p.m. and 7 p.m. to listen to what they have to listen to as the streets are patched.

Mayor Walker indicated that 2-3 weeks ago he discussed the methodology of paying for the work on Sepulveda Boulevard as that and Torrance Boulevard are two prime street projects that will be coming in front of the Council.

Mr. Evans questioned why heavy equipment trucks for the project in the 3900 block of Ocean Avenue are allowed to park there and Mayor Walker suggested that was a question for staff at a different time as the moratorium is the issue for now.

Nicholas Geber, Milne Street, suggested that everyone who reads the Cherry Orchard has a different interpretation and he proposed that perhaps seniors would prefer a house rather than a cherry orchard, or homeowners would like to have an affordable home. He questioned when those who had spoken before him and supported the moratorium had bought their new construction homes and how long ago as he was certain that many people had recently come into the community and taken advantage of the construction. Mr. Geber indicated that progress and moving forward meant more money to the schools as children are not added without the tax bases behind them and he felt he had heard the worst case of "not in my back yard" this evening. He urged residents to work within the system that exists to amend the General Plan when the time comes and asserted that the moratorium seemed to be xenophobia and a draconian reaction.

Maryann Reis, Engracia, thanked Councilmember McIntyre for bringing the moratorium back for consideration as it is needed for the City to examine what needs doing and what the people want. She asserted that money did not mean that much with regard to children in schools noting that if there are too many children in the classroom they do not learn and she asked the Council to save historic old Torrance.

Ann Ferrelli, Newton Street, supported the moratorium noting that she had spent 18 months trying to keep out the famous Begonia Village and she sometimes feels that when the Council wants something in the City they get it regardless of how the residents feel. She cited a statement from a Councilmember indicating that they had no idea they had voted so leniently and it was a shock to them, and she questioned who would be doing the investigation as to whether the City was over developing. She suggested that having the City investigate was similar to having the fox guard the chicken coop and questioned who would will tell residents in 45 days where they stand when Councilmembers were quoted in the papers as not knowing what is going on.

Ms. Ferrelli felt the moratorium was needed for those Councilmembers who need to do their homework and check their own records, making sure to take all resident requests into consideration and keep their campaign promises. She asked that they look out for residents as well as developers who take the money and run while residents are stuck with overcrowded schools. Ms. Ferrelli reported that Ms. O'Donnell was looking for \$2 million dollars to fix playgrounds that are used for AYSO Little League. The City is not getting the money back from the developers to put the schools back in order and there are a lot of residents in Torrance with children in private schools because the public schools are under funded and over crowded. She asked that the Council please take the chance to look at everything because once permits are issued you can not un-ring that bell.

Mayor Walker indicated that staff would be working with homeowner groups on the moratorium.

Tom Rische, Carlow Road, President of Seaside Homeowners Association and a member of the Traffic Commission reported taking the time to go through the Hawthorne Boulevard Corridor Survey the other day and he discovered that 80,000 vehicles travel the road everyday and some of the intersections are rated F which means some people need to wait 5-6 lights to proceed through the intersection. He noted that other places in Torrance are facing F ratings on their intersections as well.

Mr. Rische was startled by the League report which indicated that 1,011 units had been approved by the City Council in the last two years and whether they have been built or not he did not know, but that figure is higher than what was reported in the Daily Breeze. He encouraged the Council to read the report which indicated that 50 variations from General Plan of 1992, which is probably outdated, were granted by the Council over the last two years and he reported that the Redondo Beach City Council was voted out in 1981 after they approved the high rises on the beach.

Mr. Rische recounted an instance of students in the district being turned away from Seaside School last year because of overcrowding noting that reports of bringing in outside students from other districts are greatly exaggerated. He asked the Council to take the time to stop and take a look at where the City is going as the cumulative effect of what has been approved is going to be tremendous. Portions of the downtown Torrance

sewer system are 100 years old, the impact new development on infrastructure is major and it is hard to un-develop what has been developed.

Jeff Smith, an architect in the City for 25 years noted that towards the end of the last meeting there was a man who had been in the City for two years and had lost faith, but Mr. Smith indicated that he is a 40 year resident who has not lost faith in the City. Mr. Smith shared past memories of Torrance noting that people want to come to Torrance because it is the best place to be and he commented that although traffic was difficult in Torrance it was better than in any other city.

Mr. Smith asserted that Torrance is a tough City to do business in, projects take six months to two years to get approved and it is not easy to get staff approval because they will not give a project to the Planning Commission until they have something that they can reasonably support. He reported receiving waivers in the past and although maybe he should not have gotten them, they were always carefully considered.

Mr. Smith discussed the issue of what to do with the old manufacturing property noting that vacant property is not good for anybody and he asserted that staff does not knuckle under to developers. He pointed out that there is a process for reconsidering the General Plan but it doesn't have to be done while stopping all construction and he felt that this was started by the large projects coming forward. Mr. Smith expressed faith that projects would be considered very carefully, appealed, and come before the City Council and he asserted that a lot of people didn't understand that when manufacturing property comes vacant, the City has to compete to fill it with other major concerns and it is hard to get companies to come in and replace tenants on the manufacturing property.

Dale Turkle, Lincoln Avenue, acknowledged that he is a NIMBY or "not in my backyard" person with one house, one backyard, one neighborhood and one vote and he looks after all of them with the utmost care. He commented that there were people who had spoken at the meeting that would lead you to believe that people who have bought a home in Torrance in the past year don't have as much of a say in what is going on. He indicated that he was a resident for 12 years before that and that same person would have you believe that there are people who rent in the city who are not impacted by the incredible growth the City is experiencing and that is not true either. Mr. Turkle stated that his children are impacted by playgrounds covered with trailers to accommodate the huge number of children that these projects have brought into the City and he thanked those who had replied to his concerns and who had reconsidered their positions, asking that they keep an open mind.

MOTION: At 8:49 p.m. Councilmember Witkowsky moved to close the public hearing. Councilmember McIntyre seconded the motion and a roll call vote reflected unanimous approval.

Councilmember Scotto thanked residents for coming out noting that when he first proposed the moratorium on June 15 he did not realize residents would have to spend their summer vacations in Council Chambers. He expressed appreciation for the support for the idea of the moratorium, he commended those who have been willing to come up to the microphone and share their opinion which takes nerve, and he observed that the Council had been hearing from people that they had not heard from in the past and found it commendable for them to realize that the process works.

Councilmember Scotto indicated that originally he had proposed a moratorium on

10 units or more and last time he proposed three units or more and it seems the support is there for that. He challenged residents to fill Council Chambers again with concerned citizens on October 5.

City Attorney Fellows indicated that the interim ordinance expired on October 8 and the meeting prior to that date is October 5. Councilmember Scotto suggested bringing the issue back the week prior in case someone could not be present but City Attorney Fellows stated that the report would be issued on September 28 in order to give people a week to digest it and October 5 would be the date to consider the extension of the moratorium.

In response to an inquiry from Councilmember Scotto, City Attorney Fellows believed that a sufficient record was developed at the prior hearing which has been incorporated into this hearing tonight by reference and with the testimony heard this evening to justify a factual basis for adopting a moratorium tonight. They do not have the report together including the factual basis and substantial evidence in the record to justify the other three findings but the City will spend time in the next 35 days to support that.

Councilmember Scotto acknowledged the many housing numbers out there and explained that the Daily Breeze was referring to the projects that came to the Council noting that the confusion stems from those projects that did not come before the Council under appeal. He indicated that 1,300 or 1,800 is a lot of homes no matter how you look at it and what is proposed in the future will impact all the things that have been discussed this evening.

Councilmember Scotto noted that once housing is approved it is done and people have to live with it. The City acts as a custodian of the property and has to do a better job with it and having the moratorium for 45 days and coming back to approve it again for 10 months and 15 days will give the City the time to make sure that they are doing a good job for the children and grandchildren.

Councilmember Lieu requested that when staff did the report they look at development for the last 6 years.

MOTION: Councilmember Scotto moved to instate a housing moratorium in the City of Torrance on residential developments of three or more units for 45 days with the matter to be heard again on October 5 with the findings of fact established at the previous hearing and the three additional findings after staff ascertains there is enough evidence to support them. Councilmember Lieu seconded the motion and a roll call vote reflected unanimous approval.

City Attorney Fellows reported that in the second item in the staff recommendation was an ordinance summary for publication, but because the newspaper notice for the item was published on August 20th, he requested that the ordinance be published in full so everyone would see the full text of the moratorium ordinance. He indicated that if that was acceptable to the Council they did not need to take any further action.

URGENCY ORDINANCE NO. 3560

AN INTERIM ZONING ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF TORRANCE, CALIFORNIA ADOPTED AS AN
URGENCY MATTER ESTABLISHING A TEMPORARY

MORATORIUM ON THE APPROVAL OR ISSUANCE OF PERMITS
FOR THE CONSTRUCTION OF RESIDENTIAL DEVELOPMENTS
OF THREE OR MORE UNITS.

MOTION: Councilmember Mauno moved to adopt Urgency Ordinance No. 3560. Councilmember McIntyre seconded the motion and a roll call vote reflected unanimous approval.

In response to an inquiry from Sandy Monda, Community Development Director Gibson provided a list of projects that are not vested, but not subject to the moratorium: Courtyard Villa Estates, 43 senior units at 4004 Sepulveda; the Chester Smith Associates 20 unit project at 1021 Cravens; Withee Malcolm 14 mixed units at 24510 Hawthorne Blvd.; Shea Homes 226 units at 21515 Hawthorne Blvd.; and Western GB Contracting, 3 units at 1020 Cravens.

Mayor Walker indicated that there is a three unit development out there as part of the process but most other projects are larger and outside the 45 day moratorium and he noted that nothing would be coming in front of the Council in the next 45 days.

Janet Payne, Engracia, expressed confusion with the terms and City Attorney Fellows explained that those projects listed were exempted from the ordinance but they still need to complete their processing. If they require discretionary approvals they will go before the Planning Commission for the Commission to exercise its discretion, and if necessary, on appeal they could come before the City Council. They will be processed and if they require discretionary approvals they will have a hearing. They will be continuing through the process and they are not subject to the moratorium.

City Attorney Fellows explained that vesting is a legal term and the City does not have control over those that are vested. The Council determined that because the ones that are not vested are in process they will go to hearings if that is what the applicants want but there is no guarantee that any of those non-vested but exempt projects will be approved if they have discretionary approvals. He added that the hearing process starts with the Planning Commission.

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The Torrance Redevelopment Agency met from 9:02 p.m. to 9:04 p.m.

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16. ORAL COMMUNICATIONS

16a. City Manager Jackson extended a special wish to Dick Perkins for an enjoyable retirement.

16b. Councilmember Lieu reported that the Department of Defense has a website that indicates how to best support the troops and asked, with the concurrence of Council, that the City website provide a link to: www.defendamerica.mil/support_troops.html

16c. Councilmember Mauno stated that he had the privilege of working with Richard Perkins whom he considered to be a special City employee and he congratulated him on his retirement

16d. Councilmember Mauno reported a good meeting regarding the Mills Act and he suggested holding the next meeting at the Bartlett Center during evening hours so more people could attend and City Manager Jackson indicated that the facility might constrain

them in presentations.

16e. Councilmember Mauno indicated that Robert Fiscus, the Executive Director of the Vector Control, had agreed to come to a City Council meeting to explain what the Vector Control is doing about the West Nile Virus and Mayor Walker noted that would be much appreciated by everyone.

16f. Councilmember McIntyre welcomed back all residents on Tom Lee who were coming back to new homes and a new community

16g. Councilmember McIntyre announced electronic recycling for residents of the City and elsewhere on Saturday, August 28 on the Toyota campus on 195th Street from 9:00 a.m. to 3:00 p.m. They will be accepting computers, VCRs, televisions and it is a good way to dispose of old, unused equipment.

16h. Councilmember McIntyre announced that the Tri-League of Women Voters (Beach Cities, Palos Verdes and Torrance) is having their annual kick-off breakfast with the subject being "Great Expectations vs. Limited Resources: K-12 Public Education." Mary Curry will be the speaker on Saturday, September 18, 2004 at the Blue Water Grill from 9:00 a.m. to 11:30 a.m. at a cost of \$20 per person.

16i. Councilmember Scotto reported that the concert in the park last Sunday was fantastic and he encouraged everyone to take the time to attend next year.

16j. Councilmember Witkowsky reported that the Planning and Design Committee meeting yesterday was well attended with 45 residents turning out and a great presentation from the County Tax Assessor on the Mills Act. She reported good comments from the public and was looking forward to next the meeting to answer those questions and more.

16k. Mayor Walker read the following extract from an article by Doug Copp called "The Triangle of Life" about earthquake safety that he planned to pass on to schools and the Disaster Council. :

"My name is Doug Copp, I am a Rescue Chief and Disaster Manager of the American Rescue Team International (ARTI), the world's most experienced rescue team. The information in this article will save lives in an earthquake. I have crawled inside 875 collapsed buildings, worked with rescue teams from 60 countries, founded rescue teams in several countries and I am a member of many rescue teams from many countries. I was the United Nations expert in Disaster Mitigation for two years. I have worked on every major disaster in the world since 1985 except for simultaneous disasters.

In 1996 we made a film which proved my methodology to be correct. The Turkish Federal Government, City of Istanbul, University of Istanbul, Case Productions and ARTI cooperated to film this practical scientific test. They collapsed a school and a home with 20 mannequins inside. Ten mannequins did duck and cover and ten mannequins were used in my Triangle of Life survival method. After the simulated earthquake collapse we crawled through the rubble and entered the building to film and document the results. The film in which I practiced my survival techniques under directly observable scientific conditions relevant to building collapse showed that there would have been 0% survival for those doing duck and cover. There would have likely been 100% survivability for people using my method, the Triangle of Life. This film has been seen by millions of

viewers on television in Turkey and the rest of Europe and is seen in the United States, Canada, and Latin American on the TV program Real TV.

The first building I ever crawled inside of was a school in Mexico City during the 1985 earthquake. Every child was under the desk. Every child was crushed to the thickness of their bones. They could have survived by lying down next to their desks in the aisles. It was obscene, unnecessary and I wondered why the children were not in the aisles. I didn't at the time know that children were being told to hide under something.

Simply stated, when buildings collapse, the weight of the ceilings fall upon the objects of furniture inside crushing the objects and leaving a space or void next to them. This space is what I call the Triangle of Life. The larger the object, the stronger, the less the object compacts, the larger the void. The greater probability is that the person who uses the void for safety will not be injured. The next time you watch collapsed buildings on television count the triangles you see formed. They are everywhere. It is the most common shape you will see in a collapsed building. They are everywhere. I trained the Fire Department of Trujillo, population 750,000 in how to survive, take care of their families and to rescue others in earthquakes. The Chief of Rescue in the Trujillo Fire Department is a Professor at Trujillo University. He accompanied me everywhere and gave his personal testimony which is as follows: 'My name is Robert Rosales, I'm the Chief of Rescue for Trujillo. When I was 11 years old I was trapped inside of a collapsed building. My entrapment occurred during the earthquake of 1972 that killed 70,000 people. I survived in the Triangle of Life that existed next to my brother's motorcycle. My friends who got under the bed and under the desk were crushed to death. I am the living example of the Triangle of Life. My dead friends are the example of duck and cover.'

Tips Doug Copp provides: 1) Everyone who simply ducks and covers when a building collapses is crushed to death every time without exception. People who get under objects like desks or cars are always crushed. 2) Cats, dogs and babies all naturally curl up in fetal position. You should too in an earthquake. It is a natural safety, survival instinct. You can survive in a smaller void next to an object, next to a sofa, next to a large bulky object that will compress slightly but leave a void next to it. 3) Wooden buildings are the safest type of construction to be in during an earthquake. The reason is simple. Wood is flexible and moves with the force of an earthquake. If the wooden building does collapse, large survival voids are created. Also the wooden building has less concentrated crushing weight. Brick buildings will break into individual bricks. Bricks will cause many injuries but less squashed bodies than concrete slabs. If you are in bed during the night and an earthquake occurs, simply roll off the bed, a safe void will exist around the bed. Hotels can achieve a greater survival rate in earthquakes simply by posting a sign on the back of the door of every room telling occupants to lie down on the floor next to the bottom of a bed during an earthquake. If an earthquake occurs while watching television and you can not easily escape by getting out the door or window, lie down or curl up in a fetal position next to the sofa or large chair.

Everybody who gets under a doorway when buildings collapse is killed. How? If you stand under a doorway and the door jam falls forward or backward you will be crushed by the ceiling above. If the door jam falls sideways you will be cut in half by the doorway. In either case you will be killed. Never go to the stairs. Stairs have a different movement frequency, they swing separately from the main part of the building. Stairs and the main part of the building continually bump into each other until structural failure of the stairs takes place. People who get on stairs before they fail are chopped up by stair treads. They are mutilated. Even if the building does not collapse, stay away from the

stairs. Stairs are a likely part of the building to be damaged. Even if the stairs have not been collapsed by the earthquake they collapse later when overloaded by fleeing people. They should always be checked for safety when the rest of the building is not damaged. Get near outer walls of a building or outside of them if possible. It is much better to be near the outside of a building than the interior. The farther you are inside from the outside of the building the greater the probability that your escape route will be blocked.

People inside their vehicles are crushed when the road above falls in an earthquake and crushes their vehicles, which is exactly what happened with the slabs between the decks of the Nimitz Freeway. The victims of the San Francisco earthquake all stayed inside their vehicles. They were all killed. They could have easily survived by getting out and sitting or lying next to their vehicles. All crushed cars have voids 3 feet high next to them. Lay next to the vehicles says the author. Everyone killed would have survived if they had been able to get out of their cars and sit or lie next to them. All the crushed cars had voids three feet high next to them except for the cars that columns fell directly across. I discovered while crawling inside a collapsed newspaper office and other offices (this is for the Daily Breeze reporter) with a lot of paper that paper does not compact. Large voids are found surrounding stacks of paper.”

Mayor Walker felt the information was important to read and related that he had been in a high rise building yesterday and earthquakes were discussed.

At 9:20 p.m. Councilmembers Mauno and Witkowsky exited the meeting

16I. Bonnie Mae Barnard, Gramercy, resident, parent, school teacher and co-founder of Save Historic Old Torrance, indicated that it is apparent from letters to the editor in the Daily Breeze and the residents attending Council meetings as of late that the residents of Torrance share her concern with the urban sprawl that has occurred in the City in the last two years. She read the definition of urban sprawl: unplanned and uncontrolled development, and expressed concerned with Old Torrance as it is the beginnings of this City and designed by the Olmstead Brothers. She recounted the history of the planning of the City noting that Old Torrance has residential homes designed by Irving Gill, as well as custom craftsmen bungalows, Tudor homes, small and large Spanish revival homes, English cottages as well as the bridge. Old Torrance is the oldest and yet completely unprotected part of the City and has been hit the hardest by urban sprawl.

Ms. Barnard indicated that she had been coming before the Council for over a year representing Save Historic Old Torrance asking that the City conduct an Environmental Impact Review to determine the impact to the historic area before the demolition of more homes is permitted and staff has continually stated that there is no impact based upon the General Plan that is 12 years old and has no ordinance for historic preservation. She reported that at one City Council meeting Mayor Walker had argued that the area was not historical and only a couple of houses were worth preserving.

Ms. Barnard asserted that the City's history was worth preserving as it is significant culturally and architecturally and qualifies based upon the requirements of the National Register of Historic Places. She recently visited Buffalo, New York which was designed by Frederick Law Olmstead Sr. and noticed similarity in design, adding that communities all over the nation prize areas designed by Olmstead or Irving Gill.

Ms. Barnard clarified that preservation meant listing the area in the National Registry of Historic Places which would entitle the area to federal and state funds, loans

for renovation and redevelopment, a historical preservation ordinance to recognize homes and districts, incorporation of a Historical Preservation Overlay Zone (HPOZ) to ensure that urban sprawl does not happen in the area and it would increase notoriety of the downtown area and making it desirable for businesses.

The City's 100th birthday will be in 7 years and if the area were to be listed on the National Register of Historic Places and an HPOZ were in place the City would be eligible to receive Main Street funds allowing business owners to be eligible for a 10% reduction on property taxes as well as grants for renovation assistance, some homeowners could receive as much as a 50% reduction on property tax and neighborhood property values would be secure as property all over the country in areas protected by an HPOZ increases in value at a faster rate than those non-designated. She suggested utilizing small bungalows for senior housing as they are one level and not expensive.

At Council meetings and Planning meetings she has presented letters from experts stating that the area would qualify for the National Register of Historic Places and indicating that a current EIR must be done before homes can be demolished. Ms. Barnard listed her options for moving forward: keep asking the Council for preservation and the elimination of urban sprawl; file a lawsuit; or vote for new Councilmembers. Now that the election will be coupled with major topics, elections will cost more so she is asking the Council to enact an historic preservation ordinance immediately. Councilmembers are elected to represent citizens and do what is best for the City, but it is a struggle as builder after builder gets approval. Ms. Barnard was pleased with the moratorium but noted that there were several projects that were not vested at the last meeting that are now vested including Spanish duplexes which were demolished yesterday. Perhaps the 45 days can be useful for staff to work on the General Plan and for the Council to familiarize themselves with the state of the City.

Ms. Barnard reported reading the Mayor's address on the website which shows his concern for economics and growth of the City and she pointed out that historic preservation has benefited those cities that have it in place. She stated that the City had earned a grade of D- from the Los Angeles Conservancy Report Card on Historic Preservation as the City met none of the eight criteria.

Within the last eight months the idea of historic preservation has been brought up several times but none of the Councilmembers has done any research. She pointed out that Councilmembers are required to live in the City they serve because it is assumed they will know the history of the area and have a deep and abiding concern for it.

Ms. Barnard asked that Councilmembers do some homework and learn about Frederick Law Olmstead, the architect for the City, value the heritage and demonstrate that, meet with representatives from the Office of Historical Preservation who come to Los Angeles once a month, or meet with representatives from the Los Angeles Conservancy or the preservation officers from Long Beach and other cities. She reported that the Historic Preservation Officer of Long Beach, Cindy Thomack has offered to do a presentation on how to become a certified local government and become entitled to the matching funds for the required money to do a survey. She asserted that the idea that funds were not available was frustrating as she has watched the Council spend \$90,000 on t-shirts for the Parks and Recreation department and \$120,000 for an election the citizens did not ask for. Ms. Barnard asked the Council to please enact an Historic Preservation Ordinance, enact a Historic Preservation Overlay Zone and adopt the Mills Act.

16m. Maryann Reis agreed with Ms. Barnard and suggested that the City send copies of the earthquake information read by Mayor Walker to all the schools in Torrance. Mayor Walker indicated that they were planning on it.

16n. Judy Weber, expressed support for Ms. Barnard on creating an historical overlay ordinance as soon as possible.

16o. Sandy Monda, Talisman, provided a brief overview of events in Sacramento noting that the City has officially written a letter to oppose AB2702 and residents were sending a multitude of faxes, emails and letters to the Governor opposing the bill. She reported that Assemblyman Nakano had called to congratulate them on their endeavors on AB2702 and alerted them to SB1609 from Senator Dunn who has created a gut and amend bill and is attempting to push the legislation through in the late hours of the session. The complete contents of the bill are online and she indicated that the bill would provide a loophole for developers to build projects in violation of local General Plans and would expand the definition of a housing development to include homeless shelters, group homes and residential care facilities and would enable developers to be in charge of zoning as opposed to the City Council. She hoped the City's letter opposing SB2702 would be sent.

Ms. Monda reported attending a June 3, 2004 homeowners meeting on the Mills Corporation's proposed development of 917 units on 16 acres of the mall property where the Mills representative was specifically asked if the residential development was

being done to generate needed funds to redo the mall. He answered no and was asked whether the mall would still be renovated if the residential project was not approved and again he said no adding that renovations would begin in the next month. She noted that almost 3 months have passed and there has been no construction action at the mall. Ms. Monda reported that concerns were raised on June 3 about Carson Street being closed for a year or more and residents were interested in the remodeling aspect of the mall. She questioned whether there would be a housing element of any sort connected to the mall.

Councilmember McIntyre left Council Chambers at 9:42 p.m.

Mayor Walker reported that the Mills Corporation was looking to move forward and meetings were set up for later in the month with Mills Corporation representatives and various departments in the City to discuss the southern part of the mall. He indicated that it was a complicated issue but things are moving forward with the revitalization of the mall not contingent upon the Mills Corporation having a residential development.

Councilmember McIntyre returned to Council Chambers at 9:44 p.m.

City Manager Jackson clarified that there were two projects considered for the mall. The first part of the revitalization is the north east part of the mall from Montgomery Ward to TJ Maxx and it will be moving forward soon. The second part is a project that is still in process and will be coming forward for consideration. Part of that project included the residential component which has been withdrawn but the remainder of the project will be brought forward at a future time.

16p. Janet Payne, Engracia, invited everyone to the celebration of Jared Sydney Torrance at the Museum on Thursday nights in the month of August noting that if those who come after 5 p.m. can make an ice cream sundae.

16q. Dale Turkle invited Councilmembers to come on a walking tour of Historical downtown Torrance and indicated that he would accompany them to tell them why they should have an Historical Preservation Overlay Zone in Torrance.

17. EXECUTIVE SESSION

Considered earlier in the meeting.

18. ADJOURNMENT

At 9:47 p.m., the meeting was adjourned to Tuesday, September 14, 2004 at 5:30 p.m., for an executive session, with the regular meeting commencing at 7:00 p.m. in the Council Chambers. **Tuesday, August 31, 2004 and Tuesday, September 7, 2004 will be Council dark nights.**

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 November 9, 2004