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**TORRANCE CITY COUNCIL – APRIL 2, 2002**

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At 11:38 p.m., the meeting was adjourned to Tuesday, April 9, 2002, for the regular meeting commencing at 7:00 p.m. in the Council Chambers.

April 2, 2002

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

**1. CALL TO ORDER**

The Torrance City Council convened in an adjourned regular session at 6:02 p.m. on Tuesday, April 2, 2002, in City Council Chambers at Torrance City Hall.

**ROLL CALL**

Present: Councilmembers Cribbs, Messerlian, Nowatka, Scotto, Walker, Witkowsky, and Mayor Hardison.

Absent: None.

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

\*

Agenda Item 16 was considered out of order at this time.

**16. EXECUTIVE SESSION**

The Council immediately recessed to closed session to confer with the City Manager and the City Attorney on agenda matters listed under 16a) Conference with Legal Counsel – Existing Litigation; 16b) Conference with Legal Counsel – Threatened Litigation – Menlo Property/Del Amo Apartments; and 16c) Public Employee Performance Evaluation – City Manager, pursuant to California Government Code Sections 54956.9(a), 54956.9(c), and 54957.

The Council reconvened in Council Chambers at 7:12 p.m. No formal action was taken on any matter considered in closed session.

**2. FLAG SALUTE/INVOCATION**

The Pledge of Allegiance was led by Mayor Hardison.

Reverend Richard Talley, First Christian Church, gave the invocation for the meeting.

**3. AFFIDAVIT OF POSTING/WAIVE FURTHER READING**

**MOTION:** Councilmember Cribbs 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 Nowatka, and hearing no objections, Mayor Hardison so ordered.

**MOTION:** Councilmember Cribbs 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 Nowatka, and hearing no objections, Mayor Hardison so ordered.

**4. WITHDRAWN OR DEFERRED ITEMS**

None.

**5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS**

Councilmember Walker announced a meeting of the Torrance Rose Float Association on Monday, April 8, at 5:30 p.m. to consider designs for the 2002 Rose Float.

Mayor Hardison asked that the meeting be adjourned in memory of former Redondo Beach Councilmember Ron Cawdry and retired Battalion Chief Albert Salcedo.

Mayor Hardison expressed support for the families of two young ladies who lost their lives in a Colorado River boating accident.

**6. COMMUNITY MATTERS**

**6a. 2001 WASTE REDUCTION AWARDS PROGRAM**

Waste Management Coordinator Sherman presented certificates of recognition to Torrance businesses that received 2001 Waste Reduction Awards Program (WRAP) awards honoring them for their outstanding waste reduction and recycling efforts. Certificates presented to: Albertson's - Arnie Walder and Joey Romera; American Honda - John Savage, Charles Franklin, and Tony Piazza; Sav-On Drug Store - Earle Robinson, Shihabul Alam, Cesar Delasco, Brian Lanning, Glen Caulder, and Brendon Lawler; Southern California Edison - Scott Gobble and Richard Barnay; Virco Manufacturing - Patrick Tam and Tony Brock; and Walser's - Jack and Janey Walser. Vons - Brian Loudermilk was not present to accept.

**6b. PRESENTATION OF JARED SIDNEY TORRANCE AWARD OF MERIT**

Mayor Hardison presented the **Jared Sidney Torrance Award of Merit** to Katy Geissert (posthumously, accepted by Bill Geissert), Owen Griffith, and Mikko Haggott-Henson. She briefly highlighted their accomplishments, including Ms. Geissert's contribution to the establishment of the Torrance Library system and 20 years of service as an elected official; Ms. Haggott-Henson's involvement in the Torrance Sister City Program; and Dr. Owen Griffith's service on the Torrance Board of Education and commitment to the appreciation and development of the arts.

The Council recessed from 7:55 p.m. to 8:13 p.m. to allow those present an opportunity to congratulate Award of Merit recipients.

7. **CONSENT CALENDAR**

7a. **GRANT AWARD TO TORRANCE SISTER CITY ASSOCIATION FOR 2002**

**Recommendation**

Recommendation of the **Parks and Recreation Director** that City Council fund the Torrance Sister City Association for the specified services to the community for 2002.

7b. **CONSULTING SERVICES AGREEMENT WITH ELECTRONIC BUSINESS CORPORATION**

**Recommendation**

Recommendation of the **Human Resources Director** that City Council approve an agreement with Electronic Business Corporation for an amount not-to-exceed \$38,500 for a contract period of April 2, 2002 through March 31, 2003.

7c. **APPROPRIATION OF FUNDS FOR KEN MILLER RECREATION CENTER RENOVATION PROJECT**

**Recommendation**

- b. Recommendation of the **General Services Director** that City Council:
- 1) Approve F.E.A.P. #286 (Facilities, Equipment, Automation Plan), the Ken Miller Recreation Center Renovation Project;
  - 2) Award a contract to Reuter & Reuter Inc. of Torrance for \$16,325 plus a 5% contingency of \$816 for the architectural design services; and
  - 3) Appropriate \$17,141 for the architectural design fee from the Cultural Arts Center Enterprise Fund.

7d. **ACCEPTANCE OF CITY EMERGENCY PLAN**

**Recommendation**

Recommendation of the **Chief of Police** that City Council approve and accept the City of Torrance Emergency Plan.

See Item 10a, pages 5-6.

7e. **CONTRACT RE EMERGENCY SHUT DOWN SWITCHES FOR VENTILATION SYSTEMS**

**Recommendation**

- Recommendation of the **General Services Director** that City Council:
- 1) Award a contract to Nova Systems of Downey, CA for an amount not-to-exceed \$23,500 for the installation of emergency shut down switches for ventilation systems F.E.A.P. #287 (Facilities, Equipment, Automation Plan) at various city buildings;
  - 2) Authorize at 10% project management fee of \$2,350 for administration and oversight of contract work; and
  - 3) Appropriate \$25,850 from the General Fund Reserve for Security Improvements.

**7f. CONTRACT SERVICES AGREEMENT FOR CONSTRUCTION INSPECTION SERVICES**

**Recommendation**

Recommendation of the **Engineering Director** that City Council:

- 1) Approve a Contract Services Agreement in the amount of \$55,180 with Caltrop Engineering Corporation ("Caltrop") to provide construction inspection services for the I-5 Residential Streets Rehabilitation, Phase 2 North Torrance (B2002-03); and
- 2) Authorize the Mayor to execute and the City Clerk to attest to said Agreement.

**7g. APPROPRIATION FOR CONSTRUCTION OF 234<sup>TH</sup> STREET CHANNEL REPLACEMENT PROJECT**

**Recommendation**

Recommendation of the **Engineering Director** that City Council approve the following appropriations to fund construction of Phase 1 (Ocean Avenue to Ladeene Avenue) of an underground storm drain to replace the deteriorated 234<sup>th</sup> Street Channel:

- 1) Appropriate \$1,500,000 from General Funds currently appropriated to the Residential Streets Rehabilitation Program (I-5); and
- 2) Appropriate \$100,000 from General Funds currently appropriated to the Storm Water Enterprise User Fee Study.

See Item 9a, page 5.

**7h. RENTAL POLICIES FOR MEETING ROOM RESERVATIONS**

**Recommendation**

Recommendation of the **General Services Director** that City Council adopt uniform rental policies indicating compliance required by all user groups, for room reservations that are handled by the General Services Department.

**7i. CONSULTING SERVICES AGREEMENT WITH TRANSTECH ENGINEERS, INC.**

**Recommendation**

Recommendation of the **Engineering Director** that City Council:

- 1) Approve a Consulting Services Agreement with Transtech Engineers, Inc., in an amount not-to-exceed \$267,175 to provide engineering design services for the Crenshaw Boulevard (Pacific Coast Highway to Skypark Drive) Project (T-32); and
- 2) Authorize the Mayor to execute and the City Clerk to attest to said Agreement.

**MOTION:** Councilmember Witkowsky moved for the approval of Consent Calendar Items 7a, 7b, 7c, 7e, 7f, 7h and 7i. The motion was seconded by Councilmember Scotto and passed by unanimous roll call vote.

9. **PLANNING AND ECONOMIC DEVELOPMENT**

9a. **APPROPRIATION FOR CONSTRUCTION OF 234<sup>TH</sup> STREET CHANNEL REPLACEMENT PROJECT**

**Recommendation**

Recommendation of the **Engineering Director** that City Council approve the following appropriations to fund construction of Phase 1 (Ocean Avenue to Ladeene Avenue) of an underground storm drain to replace the deteriorated 234<sup>th</sup> Street Channel:

- 1) Appropriate \$1,500,000 from General Funds currently appropriated to the Residential Streets Rehabilitation Program (I-5); and
- 2) Appropriate \$100,000 from General Funds currently appropriated to the Storm Water Enterprise User Fee Study.

With the aid of slides, Senior Division Engineer Biery discussed the deteriorating condition of the 234<sup>th</sup> Street Channel, which provides for storm water drainage in the Southwood/Riviera area, and noted the recent failure of a 150-foot long portion.

Project Manager Finton outlined the proposal to replace the channel with an underground drainage system, noting that it will be constructed in two phases due to the size of the project, with the most deteriorated segment from Ocean Avenue to Ladeene Avenue to be constructed this year.

In response to Mayor Hardison's inquiry, Senior Division Engineer Biery confirmed that the appropriation of funds from the Residential Streets Rehabilitation Program would not interfere with current projects.

**MOTION:** Councilmember Witkowsky moved to concur with the staff recommendation. The motion was seconded by Councilmember Scotto and passed by unanimous roll call vote.

10. **PUBLIC SAFETY**

10a. **ACCEPTANCE OF CITY EMERGENCY PLAN**

**Recommendation**

Recommendation of the **Chief of Police** that City Council approve and accept the City of Torrance Emergency Plan.

Assistant City Manager Giordano reported that the proposed emergency plan establishes a headquarters to oversee and direct emergency response in the event of a disaster; puts in place processes and procedures to enable that response; and coordinates and provides a common language for everyone responding to a disaster. She noted that the plan has been approved by the State Office of Emergency Services and the City's Disaster Council.

In a slide presentation, Police Captain Besse briefly outlined the emergency plan, noting that it was modeled on the State of California Standardized Emergency Management System (SEMS).

Assistant City Manager Giordano advised that in order to put the plan into action, a fairly aggressive schedule of exercise and training sessions is planned for the next 18 months after which there will be annual refresher training. She noted that the City's Emergency Planning Team has been coordinating emergency response with hospitals, chemical companies and the school district and that non-profit organizations will be added to that list.

Captain Besse commended Senior Analyst Terese Condon for her work on the Emergency Plan, and Mayor Hardison thanked Emergency Planning Team members for their efforts.

**MOTION:** Councilmember Scotto moved to approve and accept the City of Torrance Emergency Plan. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote.

**11. ADMINISTRATIVE MATTERS**

**11a. CONTINUATION OF STATE OF LOCAL EMERGENCY**

**Recommendation**

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 Drive and Singingwood Drive.

Building and Safety Director Isomoto provided an update on the condition of the slope, noting that one homeowner had expressed concerns about minor changes in his backyard and that the City's geologist was going to check it.

**MOTION:** Councilmember Messerlian moved to concur with the staff recommendation. The motion was seconded by Councilmember Scotto and passed by unanimous roll call vote.

**11b. APPOINTMENT OF MAYOR PRO TEMPORE**

**Recommendation**

Recommendation of the **City Manager** that City Council appoint a new Mayor Pro Tempore (Pro Tem) for a six-month period.

Councilmember Walker advised that he requested that Councilmember Scotto be appointed to a second six-month term as Mayor Pro Tem in order to allow the more experienced Councilmembers to serve in this position while newly elected Councilmembers become accustomed to Council procedures. He noted that this appointment requires the suspension of Section 10.1 of the Council Rules of Order, which provides that no Councilmember shall serve a second term as Mayor Pro Tempore until every other Councilmember has served one term.

**MOTION:** Councilmember Walker moved to suspend City Council Rule 10.1. The motion was seconded by Councilmember Scotto and passed by unanimous roll call vote.

**MOTION:** Councilmember Walker moved to appoint Frank Scotto as Mayor Pro Tem from April 5, 2002 to October 9, 2002. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote.

**11c. LETTER OF INTENT RE AIRPORT PLAZA SHOPPING CENTER**

**Recommendation**

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

- 1) Authorize the City Manager to execute a non-binding letter of intent with OMA Cerritos VB, LLC, a California limited liability company whose sole member will be OMA Cerritos Properties LLC, a California limited liability company, Staton VB, LLC, a California limited liability company whose sole member will be Staton Investment Co., a California general partnership; and Airport Venture 2002 LLC, a California limited liability company whose managing member will be Norman R. La Caze all as tenants in common concerning City owned property currently known as Airport Plaza Shopping Center; and
- 2) Authorize the City Manager to draft an Assignment and Assumption of Lease and Consent to Assignment and Assumption of Lease with respect to City owned property known as Airport Plaza Shopping Center.

Assistant to the City Manager Sunshine reported that the current Master Tenant of the Airport Plaza Shopping Center is in escrow to sell the improvements and transfer the lease to a new Master Tenant; that assignment of the lease requires the City's consent; and that a non-binding letter of intent must be executed by the City in order for escrow to proceed.

**MOTION:** Councilmember Messerlian moved to concur with the staff recommendation. The motion was seconded by Councilmember Walker and passed by unanimous roll call vote.

**13. APPEALS**

**13a. APPEAL RE DOWNTOWN TORRANCE STREET FAIRE BUSINESS LICENSE**

**Recommendation**

Recommendation of the **Finance Director** that City Council concur with the decision of the License Review Board (LRB) authorizing a Business License for Fourth Sunday Productions dba Downtown Torrance Street Faire to conduct an antique fair.

Mayor Hardison announced that this was the time and place for a public hearing on the appeal by Gary Meyer of the action of the License Review Board approving a license to allow a downtown street fair. She noted supplemental material available at the meeting consisting of additional public correspondence.

With the aid of slides, Assistant Finance Director Flewellyn provided background information about the Antique Street Faire. He reported that the first Street Faire was put on by Downtown Productions in 1999 in order to promote economic development in the downtown area; that Downtown Productions ceased operation in 2001; that Fourth Sunday Productions subsequently submitted an application for a Business License to



continue the Faire; and that in February 2002, the License Review Board approved the request with special conditions.

Planning Manager Bihn reviewed the conditions imposed on the Street Faire and reported that he along with other City staff attended the March Street Faire and found it much improved over the February event. He indicated that there were still some issues regarding compliance with the conditions, noting that some vehicles were unlocked and used to display merchandise; that merchandise other than antiques and collectibles was being sold; that some merchandise was placed on the ground; and that the applicant has yet to submit insurance documentation.

Mayor Hardison questioned why the Street Faire was allowed to operate without the appropriate insurance. Assistant Finance Director Flewellyn related his understanding that Fourth Sunday Productions has the appropriate insurance but was awaiting documentation.

Councilmember Witkowsky expressed concerns that there were no provisions included for enforcement of the conditions imposed or penalties for non-compliance. Assistant Finance Director Flewellyn advised that the License Division is responsible for the enforcement of conditions imposed on Business Licenses and that staff will monitor the Faire and address any complaints.

Councilmember Walker asked about insurance limits, and Planning Manager Bihn related his understanding that the applicant must provide a \$1 million liability insurance policy listing the City as co-insured.

City Attorney Fellows advised that the Antique Street Faire would likely be categorized as a swap meet as defined in the State of California Business and Professions Code and that Section 21669 of that code requires operators of swap meets on government premises (i.e. public streets) to provide a \$2 million public damage liability policy. He offered clarification regarding the State's and the City's goals in regulating swap meets.

In response to Councilmember Nowatka's inquiry regarding insurance requirements for the Torrance Farmer's Market, City Attorney Fellows advised that the Farmer's Market is not subject to the same insurance regulations because it is operated by the City and not a private operator.

Councilmember Messerlian noted the variety of terms used to describe the event, including Downtown Street Faire, Antique Street Faire and Antique Faire. Planning Manager Bihn advised that the formal title of the event is the Downtown Torrance Antique Street Faire, which is appropriate as it is a street fair with an emphasis on antiques, however, that title is sometimes shortened.

In response to Councilmember Nowatka's inquiry, Planning Manager Bihn discussed the License Review Board's rationale for imposing conditions prohibiting the sale of new merchandise, requiring all merchandise except furniture to be displayed on tables, and permitting set-up for the Faire to begin no earlier than 7:00 a.m.

Councilmember Nowatka related his experience that new antique-related products, such as varnishes and restoration equipment, are often available at antique fairs.

Referring to a letter in the supplemental material, Mayor Hardison noted that the Bank of America has voiced objections to their parking lot being used for the Street Faire without their permission. Planning Manager Bihn stated that staff was not aware that the bank parking lot was being used; that the Faire was intended for the public right-of-way; and that private property should not be used without express permission from the owner.

Responding to Mayor Hardison's inquiry, Planning Manager Bihn provided clarification regarding the location of the Faire during the months of January through October, noting that it would not interfere with access to the Red Car Brewery.

In response to Councilmember Witkowsky's inquiry, Planning Manager Bihn provided information about public parking lots in the downtown area.

Referring to Condition No. 1 (No new merchandise of any sort may be sold, bought or displayed at the Faire. Only antiques and collectibles that are of special value because of their age are allowed), Councilmember Witkowsky related her observation that approximately 50 percent of the merchandise currently offered at the Faire would not qualify should this condition be enforced. Planning Manager Bihn estimated that it would be closer to 15 percent.

Councilmember Scotto asked about the condition of the streets after the event, and Planning Manager Bihn reported that the Faire's operators do a good job of cleaning up.

Responding to questions about sales tax, Planning Manager Bihn explained that it is the responsibility of the Faire's operator to make sure that vendors have a State Board of Equalization License and that sales tax is paid on the items that are sold. City Attorney Fellows reported that the Board of Equalization does spot checks of this type of operation and that he had spoken with an investigator who indicated that compliance was pretty good at this event.

Mayor Hardison outlined the procedure for the hearing, indicating that the appellant and applicant would be given an opportunity to speak, following which she would like to hear from people who live or own businesses in the downtown area first.

Mr. Gary Meyer, Allen and Gary's Jewelers, 1309 Sartori Avenue, appellant, stated that he filed the appeal in order to protect his business interests. He explained that he does 50 percent of his business from Thanksgiving weekend to the end of December and that the Street Faire has hurt him financially because it hinders parking on two of the most crucial weekends of the year. He indicated that he was not opposed to the Street Faire but was merely requesting that the November event be held prior to Thanksgiving and that the December event be held after Christmas.

Ms. Julie Randall, owner of Fourth Sunday Productions dba Downtown Torrance Antique Street Faire, 1313 Sartori Avenue, applicant, reported that she faxed a copy of the insurance policy to the City the previous week and confirmed that the policy

provides for \$2 million in liability coverage. She expressed her willingness to move the date of the November and December events in order to comply with Mr. Meyer's request, stating that it was unfortunate that they had not spoken because this hearing could have been avoided. With regard to sales tax, she noted that she has a copy of all vendors' resale numbers and that it is a requirement for anyone selling at the Faire. She related her understanding that Bank of America had agreed to allow the Faire to use their parking lot, noting that a certificate of insurance was provided at their request, and suggested the possibility that there may be a new bank manager who is not aware of this agreement.

Mayor Hardison stated that she thought it would alleviate a lot of problems if organizers could direct fairgoers to public parking lots so that parking spaces in front of businesses open on Sundays would be available for their customers. Mr. Randall expressed her willingness to station Faire staff at appropriate locations to address this issue.

Ms. Laurie Brandt, representing Red Car Brewery and Restaurant, voiced support for the Antique Street Faire, stating that it definitely brings people into the downtown area who would otherwise not be aware of it, and reported that her business increases approximately 30 percent on Faire days.

Mr. Joey Ikemoto, owner of Ikemoto Photography, 1267 Sartori Avenue, stated that profits from the Street Faire were supposed to go to the Downtown Torrance Association (DTA), however, the organization has received no money from the event. He maintained that it is the City's responsibility to see that funds generated by the Faire are correctly disbursed because public streets are being used for private enterprise. He contended that there was no enforcement of regulations as evidenced by the fact that the Bank of America parking lot was being used without permission and requested that City staff be at every event to ensure compliance. He reported 75 percent of his income comes in the last quarter of the year; that many of his clients are elderly and require parking convenient to his studio; and that he has had photo sessions cancelled because of access problems caused by the Faire which has resulted in thousands of dollars in lost income. He requested that the Faire's Business License be denied until these issues have been addressed.

Ms. Josephine Joosten, 1221 El Prado, #211, stated that she greatly enjoys the Street Faire as do many senior citizens who live in the area and hopes it will continue.

Mr. Roger Dekoster, owner of My Doll's House, 1218 El Prado, Suite 136, stated that his business is threatened by the Street Faire and requested that Reverend Anthony Wells read his statement.

Reverend Anthony Wells read Mr. Dekoster's statement in which he stated the following: That his business is open seven days a week; that during the past two and a half years during which the Street Faire has been operating, he has seen his revenues drop 85 to 95 percent on the fourth Sunday of the month; and that the only ones who appear to benefit from the Faire are four or five antique stores which are normally closed on Sundays. He expressed concerns that the Faire was blocking off public access to his store and that it could impede emergency vehicle access. He provided background information about his store, indicating that it has received national and international recognition and that it is the only miniature store left in Torrance. He

maintained that lack of access on the fourth Sunday of every month discourages other businesses from locating in the downtown area. He suggested that the Faire be setup in parking lots so as not to interfere with public access.

Ms. Judy Weber, 716 Border Avenue, reported that she lives one-half mile from downtown Torrance but never spent much time there until the Street Faire began. She stated that she discovered My Doll's House and Allen and Gary Jewelers during visits to the Faire and has since patronized these businesses. She expressed the hope that a compromise could be reached.

Ms. Rebecca Garcia, 1201 Cabrillo Avenue, #110, stated that she lives and works in the downtown area and enjoys attending the Faire. She indicated that she particularly likes the crafts, as well as the other items offered for sale, and commented on the uniqueness of the area.

Ms. Linda Stratton, 1221 El Prado, #210, stated that she loves the Street Faire because it reminds her of her hometown in Iowa and hopes that it is allowed to continue and expand.

Mr. Jim Jensen, owner of A & J Antiques, 1227 El Prado, reported that Julie Randall has organized a group of people to monitor the Faire and to see that regulations are enforced. He stated that his store was open every day during the first two years of business; that he started closing on Sundays after the second year because the area was deserted; and that he now does most of his business on the fourth Sunday of the month. He offered clarification that the Downtown Torrance Association endorses the Street Faire but is not financially involved.

Ms. Emily Waybright stated that she has assisted her mother, Julie Randall, at the Faire since its inception and never met a more cooperative group of people and expressed confidence that a compromise could be worked out. She commented on the positive benefits of the Faire.

Ms. Marilyn Ron, owner of Antique Attic, 1274 Sartori Avenue, displaying an old eggbeater worth \$16 to \$18, noted that one man's trash is another man's treasure. She indicated that she does approximately 70 percent of her business on Street Faire Sundays and feels it is greatly beneficial to merchants in the area. She maintained that the Faire has tried very hard to accommodate Mr. Meyer and was not aware that there were any problems until he filed the appeal. She suggested that if Mr. Dekoster would open his door (My Doll's House) during the Street Faire his business would improve.

In response to Mayor Hardison's inquiry, Planning Manager Bihn advised that merchants are allowed to set up displays in front of their shops as long as they do not extend beyond the first cut in the sidewalk so as not to interfere with the movement of pedestrians.

Noting that she has not visited the Faire in recent months, Mayor Hardison related her observation that sometimes merchandise has extended far beyond the first cut in the sidewalk interfering with access to businesses. Ms. Ron stated that she, along with other Faire supporters, have been working to correct this problem.

The Council recessed from 10:15 p.m. to 10:27 p.m.

Mr. Ron Tanino, resident of 1301 Cabrillo Avenue and owner of a business at 1325 Sartori Avenue, stated that the fourth Sunday is usually the best sales day of the month for his business and that he hoped that the concerns of merchants who do not participate in the Street Faire could be resolved.

Mr. Scott Bytof, Treasurer of Brisas Del Prado Homeowners Association, stated that while the Street Faire is not perfect, it has generated an awareness of the downtown area, which is what it was intended to do. He suggested that business owners need to work together in order for the area to succeed.

Mr. Bob Shehadeh, owner of Treasures Forever, 1317 Sartori Avenue, reported that his business benefits from the exposure provided by the Street Fair and expressed confidence that a compromise could be worked out to address parking concerns.

Lisa Lee, owner of Buffy's Coffee Shop, 1321 El Prado, stated that her business on Sundays has greatly improved due to the Street Faire and urged the Council to allow it to continue to operate as it benefits the entire area.

Ms. Janet Payne, 1318 Engracia, voiced support for the Street Faire and commented on past attempts to attract people to the downtown area. She related her personal experience that non-profit agencies and civic organizations based in this area also benefit from the exposure the Faire provides. She contended that some of the conditions imposed on the Faire's Business License are unnecessarily restrictive and indicated that she preferred to allow vendors some freedom in how they arrange their goods. She noted that new items, such as Beanie Babies and Matchbox cars, would not be allowed under the proposed conditions even though they are collectibles. She stated that she believed there were some valid concerns that need to be addressed and suggested that Mr. Meyer and Mr. Ikemoto consider valet parking as a possible solution to parking problems. She also suggested the idea of holding only one Street Faire for the months of November and December. She expressed her opinion that it is beneficial to all merchants to have more pedestrian traffic in the area.

Mr. Bill Applegate, owner of a jewelry business located at 1309 Sartori Avenue, pointed out that residents who support the Street Faire are not economically impacted the way that local merchants are. He noted that the City receives sales tax revenue from Street Faire vendors only if the vendor's principal business address is in Torrance. He maintained that businesses in the downtown area do work together for their mutual benefit, noting that no one complains about the impact La Capilla's tremendous success has had on parking. He explained that one important difference with regard to the jewelry business is that it is a destination versus an impulse type of business and that people who come to the location are either repeat customers or responding to advertising, therefore, it is very important that convenient parking is available.

At Mayor Hardison's request, those present simply to express support for the Street Faire but who do not live or own businesses in the area did so by a show of hands.

Ms. Cecilia Bracamontes, 25622 Pennsylvania Avenue, Lomita, a Street Faire vendor, reported that she knew of people who have purchased items at Allen and Gary's Jewelers after discovering the shop during the Street Faire.

Mr. George Kalinski, 5441 Sharon Lane, stated that he and his mother strongly support the Street Faire and commented on potential safety hazards due to items placed on sidewalks that could pose a risk to shoppers, especially seniors who frequent the Faire. He suggested the possibility of hiring a safety officer to address this issue.

Councilmember Messerlian noted that this and previous City Councils have made a commitment to ensure that downtown Torrance continues to be a thriving commercial district and that the Antique Street Faire has been the most viable alternative to attract people into the area. Recognizing that the City's first and foremost responsibility is to the merchants who operate in the downtown area on a daily basis, he stated that he believed the Faire could evolve to a level that everyone would be comfortable with and felt that the conditions and the criteria set by the License Review Board were reasonable and a good beginning.

Councilmember Scotto conceded that increasing traffic in the downtown Torrance area was a major objective, but stated that the Council must also be concerned about existing businesses. He proposed adding Condition No. 11, requiring sidewalk access to businesses to be kept open, and Condition No. 12, prohibiting Street Faires on Sundays between Thanksgiving and Christmas.

Councilmember Walker commented that while the people who spent \$30 million to revitalize the downtown area probably did not envision this type of utilization, the Antique Street Faire has the potential of becoming a boon for the entire area. He recommended that staff limit the number of vendor spaces as a controlling element, noting that as the quality of merchandise improves, more rent could be charged for the spaces, so it would not limit profitability. He suggested the possibility that vendors who are selling almost exclusively at this location could eventually be required to obtain a Business License with an address in Torrance so that the City could benefit from tax revenues. He stated that he believed this issue needs to be revisited to see how the Street Faire is progressing and that staff needs to take an aggressive approach to resolving problems that have affected local merchants, possibly posting signs prohibiting Antique Faire parking in front of their businesses.

Councilmember Witkowsky noted that the configuration of streets makes it more of a challenge for people to find businesses in the downtown area. She stated that she felt a great compromise had been proposed and favored approval of the Faire's Business License with a reevaluation of the situation in six months. She expressed the hope that supporters would do everything possible to make the downtown area a thriving business district and pledged that she would do the same. She indicated that she had reservations about the condition prohibiting the sale of new merchandise due to concerns that it would result in the loss of a number of vendors.

Commenting on the sales tax issue, Councilmember Nowatka pointed out that the Antique Street Faire was put in place to bring people into the downtown area and was never intended to raise money for the City. He expressed support for modifying Condition No. 1 to include new items that are collectibles, and Condition No. 5

(requiring all items except for furniture to be displayed on tables) to include items that are not furniture but are too large to be placed on a table.

Referring to Condition No. 1, Planning Manager Bihn advised that in crafting the condition, the License Review Board attempted to make the criteria as objective as possible and felt that by eliminating new items, the Faire would be more focused on antiques which was the original intention.

Mayor Hardison suggested that the matter be returned to the License Review Board for revaluation in six months instead of the City Council.

A brief discussion ensued regarding the modification of Condition No. 1, and it was the consensus of the Council to leave the condition unchanged in the hope that it would encourage higher quality merchandise and a more upscale event.

Councilmember Scotto recommended that the reevaluation of the event take place after December so that the effectiveness of conditions related to the November-December period could be ascertained. Assistant Finance Director Flewellyn advised that as new Business Licenses are issued in January, staff's preference would be to return the matter to the License Review Board in December.

In response to Councilmember Cribbs' inquiry, Planning Manager Bihn stated that handcrafted items would be categorized as new items and, therefore, not allowed.

**MOTION:** Councilmember Messerlian moved to concur with the License Review Board to authorize a Business License for Fourth Sunday Productions dba Downtown Torrance Antique Street Faire subject to all conditions with the following modifications:

**Modify**

No. 5 That all merchandise except furniture or other items not suitable for display on tables, shall be displayed on tables of commercial display quality and/or covered with attractive material and not on the ground.

**Add**

No. 11 That the sidewalk access to businesses must be kept open.

No. 12 That the event shall not be held on the Sunday after Thanksgiving or the Sunday before Christmas.

The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote.

**MOTION:** Councilmember Messerlian moved to direct the License Review Board to review the event in December before the issuance of a new Business License. The motion was seconded by Councilmember Scotto and passed by unanimous roll call vote.

**14. SECOND READING ORDINANCES**

**14a. SECOND AND FINAL READING OF ORDINANCE NO. 3514**

**ORDINANCE NO. 3514**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, AMENDING DIVISION 9 OF THE TORRANCE MUNICIPAL CODE TO RECLASSIFY CERTAIN PROPERTY LOCATED AT THE NORTHWEST CORNER OF PACIFIC COAST HIGHWAY AND CRENSHAW BOULEVARD FROM C-3 (SOLELY COMMERCIAL), C-4 (SHOPPING CENTER)

AND M-2 (HEAVY MANUFACTURING) TO PD (PLANNED DEVELOPMENT)

**MOTION:** Councilmember Messerlian moved for the adoption of Ordinance No. 3514. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote.

**14b. SECOND AND FINAL READING OF ORDINANCE NO. 3513**

**ORDINANCE NO. 3513**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, AMENDING SECTION 225.1.17 AND 225.1.19 OF THE TORRANCE MUNICIPAL CODE, INCREASING AND INDEXING THE INCOME BASE FOR SENIOR CITIZEN DISCOUNT FOR UTILITY USERS' TAX AND LOWERING THE AGE REQUIREMENT

**MOTION:** Councilmember Messerlian moved for the adoption of Ordinance No. 3513. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote.

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The Redevelopment Agency met from 11:25 p.m. to 11:26 p.m.

**15. ORAL COMMUNICATIONS**

City Manager Jackson thanked the outgoing Councilmembers and the Mayor for a job well done, noting their work on projects over the years, including Strategic Planning and the significant work on capital projects, as well as their efforts to be in better contact with the public.

Fire Chief Bongard announced the monthly test of the ExxonMobil siren and the Community Alert system on Wednesday April 3.

City Clerk Herbers announced that the works of Torrance Artist Guild member Dewey Narumit were on display through the end of April in the City Clerk's office as a part of the continuing Art on View program.

Councilmember Scotto commented that his two grandchildren had enjoyed the Parks & Recreation program "Breakfast with the Easter Bunny."



Mayor Hardison expressed frustration about the lack of use of block grant funds in the City of Torrance for the past 20 years, noting that the City could have received \$24 million dollars in funding over that period. She pointed out that many needs exist in the community and that the regulations have changed in 20 years. She indicated that there might be a possibility for the City acting as an entitled city, to sign a joint agreement with Los Angeles County so as to avoid any direct involvement with unacceptable regulations. She suggested that, as the program runs in three-year cycles, the next mayor consider exploration of the program.

Former Councilmember Dick Rossberg stated that he and his wife June were honored to see the three recipients of the Jared Sidney Torrance Award receive recognition; were proud of the manner in which the meeting had been conducted; thanked Councilmembers Cribbs and Messerlian for their services; and congratulated Mayor Hardison on an outstanding job leading the City.

**16. EXECUTIVE SESSION**

Considered earlier in the meeting, see page 1.

**17. ADJOURNMENT**

At 11:38 p.m., the meeting was adjourned to Tuesday, April 9, 2002, for the regular City Council meeting commencing at 7:00 p.m. in Council Chambers.

***Adjourned in Memory of  
Former Redondo Beach Councilmember Ron Cawdry  
and  
Retired Battalion Chief Albert Salcedo***

Attest:

/s/ Dan Walker

Mayor of the City of Torrance

/s/ Sue Herbers

Sue Herbers  
City Clerk of the City of Torrance

Approved on May 14, 2002