

July 23, 2002

**MINUTES OF AN ADJOURNED REGULAR  
MEETING OF THE TORRANCE CITY COUNCIL  
JOINT MEETING WITH LIBRARY COMMISSION**

**1. CALL TO ORDER**

The Torrance City Council convened in a regular meeting at 5:45 p.m. on Tuesday, July 23, 2002, for a joint meeting with the Library Commission in the Katy Geissert Civic Center Library Meeting Room.

**ROLL CALL**

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

Commissioners Basile, Bise, Botello, Levanas, Roberts, Watson and Chairperson Unverzagt.

Absent: None.

Also Present: City Manager Jackson, City Librarian Buckley, Library Services Administrators Weiner and Reeder and City Clerk Herbers.

The Affidavit of posting of the agenda by the City Clerk was accepted and filed by both agencies without objection.

Library Commission Chairperson Unverzagt commented on: the Proposition 14 grant application for renovation of McMaster Park and North Torrance Library; the library needs of the future as indicated by market research including modernization and the possible need to change scheduled operating hours; and the role of the commission as advocates to the public and support of the Friends of the Library and the Library Foundation. She reminded the City Council that as the economy goes down the demand for library services increases.

Library Commission members each commented on the positive attitudes of the Library staff and commended them for their ambitious undertaking of the Prop 14 grant process.

Mayor Walker extended his thanks for the invitation to meet with the commission and for their service.

General discussion was held on the library's area of specialty (business administration and auto repair), the online catalogue and ongoing format changes by libraries brought about by technology, book clubs at all Torrance libraries, state and national grant funding for programs including the Grapes of Wrath and Frankenstein, Internet policies, the use of volunteers for shut-ins, student tutoring, and the Friends of the Library funds that provide computers.

The Library staff was commended for stability of policies and for being on the cutting edge in many areas including the work that went into the Prop. 14 grant writing effort that brought together many city departments.

At 6:55 p.m. the Torrance City Council recessed to 7:00 p.m. in the City Council Chambers.

At 6:55 p.m. the Library Commission adjourned to Monday, August 12, 2002 at 7:00 p.m. in the Katy Geissert Civic Center Library Meeting Room.

The City Council reconvened in City Council Chambers at 7:05 p.m. with all members present. Also present were City Manager Jackson, City Attorney Fellows, City Clerk Herbers and other staff representatives.

**2. FLAG SALUTE/INVOCATION**

The invocation was given by Minister Alex Schweng, Bread of Life Church.

The Pledge of Allegiance was led by Councilmember Scotto.

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

**MOTION:** Councilmember Nowatka 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 Nowatka 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**

Mayor Walker announced additional information on items 7h and 17 were available at the back of the room.

**5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS**

Fire Chief Bongard announced that the ExxonMobil Torrance Refinery would be testing the barriers on Crenshaw between 190<sup>th</sup> and Del Amo Boulevard on Thursday, July 25, 2002 from approximately 10:30 a.m. to 11:00 a.m. He added that during the testing the street would be closed but public safety officers would be present to redirect traffic.

City Clerk Herbers announced that applications would be accepted in the City Clerk's office for appointment to the Airport Commission, the Community Services Commission, and the Environmental and Energy Conservation Commission with appointments to be made by the City Council on August 13 at 7:00 p.m. Applications are available on the website at [www.tornet.com](http://www.tornet.com) or by calling the City Clerk's office at 618-2870.

**6. COMMUNITY MATTERS**

**6a. RESOLUTION NO. 2002-79 RE ROBERT DEAN PAULEY**

**RESOLUTION NO. 2002-79**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING ROBERT DEAN PAULEY UPON HIS RETIREMENT FROM THE CITY AFTER THIRTY-FIVE YEARS OF SERVICE.**

**MOTION:** Councilmember Scotto moved to adopt Resolution No. 2002-79. Councilmember Nowatka seconded the motion and a roll call vote reflected unanimous approval.

To be presented at a later date.

**6b. RESOLUTION NO. 2002-80 RE POLICE CAPTAIN SUSAN MARIE RHILINGER**

**RESOLUTION NO. 2002-80**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING POLICE CAPTAIN SUSAN MARIE RHILINGER UPON HER RETIREMENT FROM THE CITY AFTER THIRTY-TWO YEARS OF SERVICE.**

**MOTION:** Councilmember Scotto moved to adopt Resolution No. 2002-80. Councilmember Witkowsky seconded the motion and a roll call vote reflected unanimous approval.

Councilmember Nowatka read the resolution and commented that Captain Rhilinger had been a great asset to the City. Mayor Walker presented the resolution and a plaque on behalf of Los Angeles County 4<sup>th</sup> District Supervisor Don Knabe who had been unable to stay for the presentation.

Ms. Rhilinger stated that it was an honor to serve the City and she thanked the Councilmembers for wisdom, foresight and support which allowed the Police Department to provide high levels of continued professional training and services. She also thanked her family, the citizens of Torrance and the City Manager and staff for advice and assistance over the years.

Police Chief Herren noted that Captain Rhilinger had mentored many people and invested herself in the department.

**6c. RESOLUTION NO. 2002-81 RE POLICE OFFICER DONALD ROLAND SHERWOOD**

**RESOLUTION NO. 2002-81**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING POLICE OFFICER DONALD ROLAND SHERWOOD UPON HIS RETIREMENT FROM THE CITY AFTER TWENTY-SEVEN YEARS OF SERVICE.**

**MOTION:** Councilmember Scotto moved to adopt Resolution No. 2002-81. Councilmember Witkowsky seconded the motion and a roll call vote reflected unanimous approval.

To be presented at a later date.

**6d. RESOLUTION NO. 2002-90 RE FIRE CAPTAIN JERRY C. COBURN**

**RESOLUTION NO. 2002-90**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING FIRE CAPTAIN JERRY C. COBURN UPON HIS RETIREMENT FROM THE CITY AFTER THIRTY-FOUR YEARS OF SERVICE.**

**MOTION:** Councilmember Scotto moved to adopt Resolution No. 2002-90. Councilmember Witkowsky seconded the motion and a roll call vote reflected unanimous approval.

To be presented at a later date.

**6e. RESOLUTION NO. 2002-91 RE FIRE ENGINEER DEAN W. FITZER**

**RESOLUTION NO. 2002-91**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE  
HONORING FIRE ENGINEER DEAN W. FITZER UPON HIS  
RETIREMENT FROM THE CITY AFTER THIRTY YEARS OF SERVICE.**

**MOTION:** Councilmember Scotto moved to adopt Resolution No. 2002-91. Councilmember Witkowsky seconded the motion and a roll call vote reflected unanimous approval.

To be presented at a later date.

**6f. PROCLAMATION RE NATIONAL NIGHT OUT AGAINST CRIME**

Mayor Walker presented a proclamation declaring Tuesday, August 6, 2002 as "National Night Out Against Crime" in the City of Torrance and urging all citizens of Torrance to continue their efforts in working together with the Police, Fire and City Departments in keeping our community safe to Acting Police Lieutenant Shortall who indicated that this would be the 19<sup>th</sup> year of Night Out Against Crime with several events visited by officers. He added that the support of citizens helps the police department be more effective.

**6g. ATTIC DONATION FROM CLARK ADAMS WINDOWS AND DOORS COMPANY**

Recommendation of the Parks and Recreation Director that City Council accept new vinyl windows in the amount of \$6,287 as a donation from Clark Adams Windows and Doors Company for the ATTIC.

**MOTION:** Councilmember Nowatka moved to accept the donation of new vinyl windows from Clark Adams for the ATTIC. Councilmember McIntyre seconded the motion and a roll call vote reflected unanimous approval.

Mayor Walker presented a plaque to Mr. Adams who noted it was an honor to live in the City of Torrance and to donate back to the community.

**7. CONSENT CALENDAR**

**7a. MONTHLY INVESTMENT REPORT – JUNE 2002**

**Recommendation**

Recommendation of the City Treasurer that City Council accept and file the monthly investment report for the month of June 2002.

7b. **NARRATIVE AND FINANCIAL REPORTS RE 2001 NON-PROFIT SOCIAL SERVICES AGENCY GRANT RECIPIENTS**

**Recommendation**

Recommendation of the Community Services Commission and the Parks and Recreation Director that City Council accept and file the Narrative and Financial Reports of completed projects from the year 2001 Non-Profit Social Services Agency Grant recipients: Adoption Information Center, Canyon Verde, CCF/RVL S.C.O.R.E., First Lutheran Church, Pediatric Therapy Network, Pregnancy Help Center, Project Touch, Salvation Army Torrance Corps, South Bay Literacy Council, Inc., St. Paul's United Methodist Church, Volunteer Center, South Bay-Harbor-Long Beach.

7c. **PURCHASE ORDERS RE ANNUAL SPORTS EQUIPMENT REQUIREMENT**

**Recommendation**

Recommendation of the Parks and Recreation Director that City Council authorize purchase orders to be awarded to various vendors for the purchase of the City's annual requirement of sports equipment. Total purchase order expenditure not-to-exceed \$47,376. (B2002-20)

7d. **2001-2002 LIBRARY COMMISSION ANNUAL REPORT**

**Recommendation**

Recommendation of the City Librarian and the Library Commission that City Council accept and file the Library Commission 2001-2002 Annual Report.

7e. **CITY MANAGER DONATION DISCRETION**

**Recommendation**

Recommendation of the Finance Director that City Council authorize the City Manager to use his discretion to accept gifts and donations on behalf of the City of Torrance and make the necessary appropriations to departments' budgets up to \$5,000.

7f. **MOBIL ENVIRONMENTAL ACCOUNT APPROPRIATION RE CAN ANNUAL RETAINER FEE**

**Recommendation**

Recommendation of the Fire Chief that City Council authorize the appropriation of \$12,150 from Mobil Environmental account (Trust and Agency Fund) to the Fire Department's operating budget for the payment of CAN Annual Retainer fee per its contract C2001-256 with the Community Alert Network, Inc.

7g. **ANNUAL CLAIM TO LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY**

**Recommendation**

Recommendation of the Transit Director that City Council authorize the City Manager to execute and the Transit Department to submit the annual claim to the Los Angeles County Metropolitan Transportation Authority (MTA) for \$4,248,633 in Transportation Development Act (TDA) funding and \$205,192 in State Transit Assistance (STA) funding for the Torrance Transit System in Fiscal Year 2002-2003.

**7h. AGREEMENT RE LOS ANGELES COUNTY METROPOLITAN TRANSIT AUTHORITY**

**Recommendation**

Recommendation of the Transit Director that City Council authorize the Mayor to execute and the City Clerk to attest to an agreement with the Los Angeles County Metropolitan Transportation Authority (LACMTA) to participate in the regional EzPass Fare Program.

**7i. MOU RE PROPOSITION C ALLOCATION**

**Recommendation**

Recommendation of the Transit Director that City Council authorize the Mayor to execute and the City Clerk to attest to a Memorandum of Understanding (MOU) with the Los Angeles County Metropolitan Transportation Authority for the allocation of Proposition C 5% Security funds for the period from July 1, 2002 to June 30, 2003.

**7j. CONTRACT RE PEERLESS AUTOMOTIVE OF TORRANCE, CA**

**Recommendation**

Recommendation of the General Services Director that City Council authorize a vendor contract to Peerless Automotive of Torrance, CA in an amount not-to-exceed \$50,000 for the purchase of the City's annual requirement of automotive stock and repair parts on an "as needed basis". The vendor contract will be for an 11-month term beginning August 7, 2002 and ending June 30, 2003.

**7k. DCA CIVIL ENGINEERING GROUP CONSULTING SERVICES AGREEMENT**

**Recommendation**

Recommendation of the Engineering Director that City Council:

- 1) Approve an agreement with DCA Civil Engineering Group, Inc. for consulting services in the amount of \$69,970;
- 2) Appropriate \$89,220 from Airport funds for airport easement mapping which includes \$15,000 for title search services and a 5% contingency; and
- 3) Authorize the Mayor to execute and the City Clerk to attest to this agreement on behalf of the City for airport mapping services.

**7l. E. TSENG AND ASSOCIATES CONTRACT EXTENSION**

**Recommendation**

Recommendation of the Street Services Director that City Council approve an extension of one year to contract C2001-164.

**7m. DEEMS LEWIS MCKINLEY CONSULTING CONTRACT**

Recommendation

Recommendation of the City Librarian and the General Services Director that City Council approve a contract with Deems Lewis McKinley, Architect, in the amount of \$112,000 to provide consulting services for the remodel of the upper level of the Katy Geissert Civic Center Library.

**7n. PUBLIC WORKS AGREEMENT RE BRH-GRAVER, INC.**

**Recommendation**

Recommendation of the Engineering Director that City Council:

- 1) Approve the plans and specifications for Phase 1 (I-53) Sanitary Sewer Rehabilitation and Replacement (B2002-19) on file in the City Clerk's office;
- 2) Award a public works agreement to BRH-Graver, Inc., in the amount of \$505,285.52 and authorize a 5% contingency in the amount of \$25,264.28 for this project; and
- 3) Authorize the Mayor to execute and the City Clerk to attest to said agreement.

**7o. STANDARD PUBLIC WORKS AGREEMENT RE PAVEMENT COATINGS COMPANY**

**Recommendation**

Recommendation of the Street Services Director that City Council:

- 1) Accept the bid and award a standard public works agreement, approved as to form by the City Attorney, to Pavement Coatings Company for the 2002-2003 Residential Slurry Seal Project (B2002-25), base bid plus additives A, B, C, D, E, F, and G, in the amount of \$313,584.88;
- 2) Authorize a 5% contingency in the amount of \$15,679.24;
- 3) Award a standard consulting services agreement approved as to form by the City Attorney, to Hy-Com & Associates, Inc., for inspection services in the amount of \$25,000; and
- 4) Authorize the Mayor to execute and the City Clerk to attest to said agreements.

**7p. BUSH COMMUNICATIONS CONTRACT RE CITYWIDE WEBSITE REDESIGN PROJECT**

**Recommendation**

Recommendation of the City Manager that City Council approve a contract with Bush Communications, Inc., in the amount of \$170,000 for the Citywide Website Redesign (CWR) Project.

**7q. CHANGE ORDER RE RANCO CORPORATION PUBLIC WORKS AGREEMENT**

**Recommendation**

Recommendation of the Engineering Director that City Council approve a change order in the amount of \$10,000 to public works agreement C2002-088 with Ranco Corporation to construct additional improvements and to abandon an existing drainage structure in conflict with construction.

**7r. A.F. ASSOCIATES CONTRACT RE TELEVISION MASTER CONTROL FACILITIES (MCF) PROJECT REDESIGN**

**Recommendation**

Recommendation of the City Manager that City Council approve a contract with A.F. Associates, Inc., in the amount of \$59,800 for the redesign of the Television Master Control Facilities (MCF) Project.

**MOTION:** Councilmember Witkowsky moved to approve Consent Calendar items 7a through 7r as written. Councilmember Scotto seconded the motion and a roll call vote reflected unanimous approval.

**11. ADMINISTRATIVE MATTERS**

Mayor Walker noted that item 11a would be considered concurrently with Redevelopment Agency item 4a later in the meeting.

**11a. REDEVELOPMENT AGENCY ANNUAL REPORT – 2000-2001**

Recommendation of the Redevelopment Agency that City Council accept and file the Redevelopment Agency Annual Report for Fiscal Year 2000-2001 including the Independent Auditor's Report on Financial Statements and Compliance and file said report without further action. (COMPANION TO REDEVELOPMENT AGENCY ITEM 4A)

**11b. RESOLUTION NO. 2002-92 RE CARSON/LOMITA/TORRANCE CONSORTIUM**

Recommendation of the Workforce Investment Network (WiN) Board and the Human Resources Director that City Council:

- 1) Approve a Resolution to designate the Mayor of Torrance or his designee as the signature authority for the Carson/Lomita/Torrance Consortium with respect to the State of California Nurse Workforce Initiative and grant-related documents; and
- 2) Accept said funds.

**RESOLUTION NO. 2002-92**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE DESIGNATING THE MAYOR OF TORRANCE OR DESIGNEE AS SIGNATURE AUTHORITY FOR CASON/LOMITA/TORRANCE CONSORTIUM WITH RESPECT TO THE STATE OF CALIFORNIA NURSE WORKFORCE INITIATIVE AND GRANT-RELATED DOCUMENTS.**

**MOTION:** Councilmember Scotto moved to adopt resolution No. 2002-92. Councilmember McIntyre seconded the motion and a roll call vote reflected unanimous approval.

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

**11c. RESOLUTION NO. 2002-93 RE TORRANCE RECURRENT RECREATION EMPLOYEES ASSOCIATION (TRREO) MOU**

Recommendation of the City Manager that City Council adopt a Memorandum of Understanding Resolution setting forth hours, wages, and working conditions for employees represented by Torrance Recurrent Recreation Employees Association (TRREO) for the period July 14, 2002 to June 30, 2003.

**RESOLUTION NO. 2002-93**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE SETTING FORTH HOURS, WAGES AND WORKING CONDITIONS FOR EMPLOYEES REPRESENTED BY THE TORRANCE RECURRENT RECREATION**



**EMPLOYEES ASSOCIATION (TRREO) JULY 14, 2002 TO  
JUNE 30, 2003.**

**MOTION:** Councilmember Scotto moved to adopt resolution No. 2002-93. Councilmember McIntyre seconded the motion and a roll call vote reflected unanimous approval.

**11d. CONTINUED STATE OF EMERGENCY FOR CAROLWOOD DRIVE 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 Drive and Singingwood Drive.

David Henseler, 3210 Singingwood Drive, reported on his attempts to alert neighbors to issues with the slide area since 1998 and stated that three homes were still uninhabitable, with his home and 21 others restricted due to an unstable hillside which may come down with the next rain. He asserted that government exists to help with problems that are bigger than individuals can deal with and requested help from the City. He asked if there was a plan to remediate the situation noting that residents were willing to work together with the City .

City Manager Jackson indicated that the City's concern is to preserve the property in public areas and public right of way and past efforts included identifying whether the property is safe to occupy and to take steps to indicate to owners how to proceed as safely as possible. He pointed out that the entire slide area is on private property and noted that the City can assist property owners to take whatever steps are necessary but the City can not engage on themselves or to take on that responsibility or action. He added that the state of local emergency gives the City the broadest power to help without taking care of private property.

City Attorney Fellows stated that the City had advanced a significant amount of money toward the preparation of a draft remediation plan that is still in the hands of affected homeowners. He stated that the City Council did authorize up front expenditure of funds to prepare and develop the plans.

Building and Safety Director Isomoto reported that the homeowners had stopped the attempt to develop an assessment district to address the repair of the failed slope as not all of the 24 involved wanted to participate, and interest has continued to drop over time. He indicated that the City geologist continues to monitor the slope monthly and has found no significant movement or change, and staff is concerned that there is no plan for repair as winter approaches. Three or four individual homeowners have taken measures to protect their own property and the rest are not organized or moving forward on the assessment district process which is at a standstill having stopped in the review period.

Mr. Henseler indicated that he was aware of and appreciated the City's efforts but the problem appears to require about \$2.4 million dollars and is bigger than he and his neighbors can handle and he is unable to force the required 51% of his neighbors to participate.

Mayor Walker assured Mr. Henseler that the problem was being constantly reviewed and the City was also looking for solutions.

Dennis Murata 3126 Singingwood Drive, indicated that he was still out of his home and noted that although the property may be private, they still need help. He reported hearing that

homeowners in the area are to blame for not taking care of the problem in advance and he indicated that he had taken all efforts in the past to keep the hillside stable.

Mr. Murata reported meeting with Don Knabe regarding the proposed golf course development on the landfill and asking for assistance from the County. He indicated homeowners are frightened by the magnitude of the cost and need assistance, and his family is trying to cope as best as they can but they would like more support from the City.

In response to an inquiry from Councilmember Witkowsky, Building and Safety Director Isomoto explained that support for the Geological Hazard Abatement District peaked at about 14-15 homes perhaps two years ago, but had declined since then with those further away from the area not wanting to participate as they do not feel it is their problem.

Councilmember Witkowsky proposed sending out a questionnaire to survey homeowners in the area to determine changes in attitude in terms of participation.

City Attorney Fellows indicated that the remediation plan had to be completed and the cost developed before the district could be formed. Once that is done, an assessment engineer spreads the benefit and burden against affected properties. He commented that it was difficult for property owners to agree to an open-ended program and it would be unlikely that further inquiries from the City would receive a positive response without additional information.

City Manager Jackson observed that the process was complicated and noted that the properties that were most impacted would carry the most significant cost of the repair.

In response to an inquiry from Councilmember Witkowsky, Building and Safety Director Isomoto indicated that the next step was in the hands of the homeowners.

City Attorney Fellows reminded the public that the Council had directed the City's direct involvement to fronting 85% of the anticipated cost with property owners responsible for pulling it together.

Councilmember Mauno requested a tour of the area to become more knowledgeable about the property.

Tony Rizk, 3124 Singingwood Drive, thanked the City for the support but clarified that the City had promised \$85,000 for a \$150,000 study which can not be finalized because the City has withheld \$15,000 for final payment to the consultant. He indicated that the Public Resource Code Section 26500 states that the City has the authority to form a Geologic Hazard Abatement District. If it does, upon public hearing if more than 50% oppose it, then it has to be abandoned and that it is more feasible for a City to initiate such a process than it is for individuals who are not as organized or sophisticated.

Mr. Rizk stated that in late April a group of homeowners had submitted an engineering plan to the City, which took 6 weeks to get feedback on that consisted of a one page response noting the delay was due to review. He requested partial repairs, expedited review, waiving of permit fees on the basis of hardship and support from the City Council to create the Geologic Abatement District. He added that there had been thefts from the three abandoned homes and attracted undesirable elements to the neighborhood that created unusual hardships.

Mayor Walker indicated they the City would work with staff to see what could be done.

**MOTION:** Councilmember Scotto moved to continue the state of local emergency for properties located on Carolwood and Singingwood Drives. Councilmember Witkowsky seconded the motion and a roll call vote reflected unanimous approval.

## **12. HEARINGS**

### **12a. PRE01-00043 STORM WESTERN DEVELOPMENT (DAVID DUGGINS)**

Recommendation of the Planning Commission and the Planning Director that City Council deny the appeal and adopt a Resolution approving Precise Plan of Development (PRE01-00043) to allow the construction of a new, two-story, single-family residence on property located in the R-1 zone, Hillside Overlay District, at 5627 Edgemere Drive. PRE01-00043: STORM WESTERN DEVELOPMENT (David Duggins).

Mayor Walker opened the public hearing at 7:53 p.m.

Planning Manager Isomoto provided a summary of the material of record noting that the matter was before the Council on appeal of the Planning Commission's decision to approve the project.

Planning Manager Isomoto presented photos from neighboring properties and related that privacy issues were a concern of the Planning Commission at the June 5, 2002 Planning Commission meeting and the motion passed 3-2. At that time the applicant discussed plans to address neighbors' concerns with respect to view blockage and privacy.

In response to an inquiry from Councilmember Scotto, Planning Manager Isomoto explained that the garage was on ground level with the house above and although there was some discussion of a normal two-story home with half of the house on each level, it was concluded that might have been more intrusive to the neighbors as the garage would have been dug down. She added that if the building was all on one level, the property could be graded down to 20 feet but staff did not feel the design presented view blockage or privacy issues.

Councilmember Scotto pointed out that the property was elevated and suggested that if the property were to be graded to street level it would not be so much of a blockage. Planning Manager Isomoto indicated that the property was approximately the same height as houses to the left and Councilmember Scotto pointed out that it was different as the street is level with those other properties.

In response to an inquiry from Councilmember Witkowsky, Planning Manager Isomoto explained that the three homes approved for the water tower site were at the same level as this house.

David Duggins, 1309 W. Sepulveda Boulevard, stated that he designed the project using the existing grades to reduce overall ridge height with a lowered garage in an effort to stay in line with the terraced area.

In response to an inquiry from Councilmember McIntyre regarding concerns with lack of a consensus between the developer and the neighbors, Mr. Duggins stated that after the Planning Commission meeting he had met with every neighbor who had expressed concerns. He added that changing things to satisfy one neighbor made another one dissatisfied and he received the appeal in response to his efforts to get together with all the neighbors.

Councilmember Mauno observed that the height increased markedly with this house and he questioned whether the increase could be made more uniform and in line with the

rest of the houses on the street. Mr. Duggins indicated that a grade break issue with the driveway prevented that.

Lance Wayman, 20431 Tomlee Avenue, indicated that he was speaking on behalf of the all of the neighbors who chipped in to pay for the appeal and reported that it was the feeling of the community that the proposed development needed additional review as the Planning Commission did not adequately consider resident objections.

Mr. Wayman proposed alternate plans for lowering the overall height 4-5 feet and indicated that residents were anxious to resolve privacy issues. He objected to installing a swimming pool on the lot, the architectural style of the house and what he felt were threatening statements made by Mr. Duggins, and he questioned the legality of the building height and the balcony.

Mr. Wayman pointed out that the City Council had overridden a Planning Commission approval last year for the water tower lot to be built on mounds and he asserted that the Council should require this lot be built at street level as well.

Nelson Caraballo, 5623 Edgemere Drive, presented a photo to the City Council to illustrate that the proposed house would block air and light and raise privacy issues, and he asserted that the proposed plan was unacceptable and should not be allowed.

In response to an inquiry from Councilmember Scotto, Mr. Caraballo supported moving the proposed home toward his house to reduce the height to street level and he asserted that his primary concerns were safety and privacy.

In response to an inquiry from Councilmember Lieu, Mr. Caraballo noted that a 6-foot block wall would help privacy issues but the new home would still have a very good view of his property and landslide issues would not be resolved.

Peter Miao, 20427 Cheryl Drive, questioned whether codes were being waived for the development as it was his understanding that in the case of a downsloping lot, no portion of the dwelling should exceed 14 feet in height measured from the curb, and this proposal is for 16 feet.

Planning Manager Isomoto explained criteria for a downsloping lot and indicated that the code allows a two-story house over 14 feet with approval of a precise plan of development.

Mr. Miao objected to the development based on concerns with issues of view and light, and the fact that the proposed house would stand out because of the mound. He expressed concerns with the stability of the slope and submitted a highlighted copy of the code to the Council indicating that a project can not be approved that adversely affects the neighbors.

In response to an inquiry from Councilmember Witkowsky, Planning Manager Isomoto presented specifications with respect to the finished grades of the water tower houses and Councilmember Witkowsky concluded that the proposed house would be in harmony with the water tower houses but not with the pre-existing homes.

In response to a request from Councilmember Witkowsky for a way to make the transition with the house to the south more gradual, Planning Manager Isomoto indicated that it was possible to take the design as proposed and lower the main level a couple of feet and with the significant setback on the eastside, it could be brought down to the level of the existing home.

Karen Beverly, 5626 Edgemere Drive, reiterated previously stated concerns and asked for Council support for enforcing the Hillside Overlay District, Article 41, Section 91.41.6 covering harmony with the existing homes in the neighborhood. She objected to the tile roof and indicated that residents do not believe the proposed house will be in harmony with other houses in the neighborhood which are single story homes, set back and at curb grade level. Ms. Beverly requested clarification on the differences in the grading of the lot to help the neighbors understand why this home can exceed the 14-foot limit specified in the code.

In response to an inquiry from Councilmember McIntyre regarding lot coverage, Ms. Beverly referred her to photos presented by Planning Manager Isomoto earlier in the meeting.

Lonnie Cope, 20409 Tomlee Avenue, referred to page 5 of the item, item D which indicates "That the design provides an orderly and attractive development in harmony with other properties in the vicinity because the exterior design elements are reflective of contemporary architecture being used for the proposed neighboring residences" noting that none of the surrounding homes had a subterranean garage or that amount of square feet which he felt nullified the entire application.

Ed Beverly, 5626 Edgemere Drive, commented on statements by Councilmember Witkowsky regarding the water tower homes and pointed out they were told that one could not be related to another. He suggested shifting the property to the five-foot setback which is a plausible solution to lower the skyline and bring the building to code.

In response to an inquiry from Mayor Walker, Planning Manager Isomoto indicated that the Caraballo residence ridgeline was 113.10'.

In response to an inquiry from Councilmember Lieu, Planning Manager Isomoto stated that the proposed house is 3,067 square feet and she provided examples of square footage for surrounding houses: Caraballo 1,715 square feet, Beverly 1,631 square feet, Wayman 1,751 square feet and the three 3 water tower homes are 4,032, 4,032, and 3,808 square feet.

Councilmember Mauno commented on privacy issues and noted that the house to the north is 9 feet higher than the proposed house and the house to the south is 13 feet lower. He suggested that dropping the house down 3 feet would continue the average height and create uniformity.

Mr. Duggins responded that lowering the house would create a problem with respect to the maximum grade differential from the street to the garage but it could be lowered somewhat by moving the house east.

Councilmember Scotto stated that building the home as proposed would not fit well with the area, and he suggested grading the property to street level and showing more concern for existing homeowners.

Mayor Walker supported taking ridgelines of the homes on an incremental basis and thought it commendable that the development is a one-story home.

Mr. Duggins asserted that they had considered moving the house to the south and lowering it and he indicated that they were proposing to build a single story house at grade with a garage under it. He clarified that the deck was not being built on the roof but would

be at the same elevation as the second floor and he noted that the house would be the transition between existing houses and the water tower houses to the north.

Mayor Walker indicated that he did not have a problem with square footage or the swimming pool and he felt there were simple ways to make minor modifications to satisfy some of Mr. Caraballo's concerns about the height dropping down. His concern was more about the distance between the houses than with the height issue and he asked if the height could be reduced by 3 feet by moving it to the east.

Mr. Duggins stated that he could not guarantee that it would be lowered 3 feet, but they would move it to the setback based on lot width.

Planning Director Gibson indicated that the Council was directing the applicant to make a tradeoff in terms of height vs. privacy and he felt it was difficult to compare two-story houses with one-story houses. He suggested that staff work with the applicant to get the project closer to where the Council wants it to be.

Councilmember Lieu expressed support for neighbors who have lived in that neighborhood for years noting that the proposed design was not the least intrusive that could be built and he felt the discussion should continue.

Mr. Duggins indicated that the neighbors had many different concerns that could not all be addressed and Councilmember Lieu pointed out that virtually every neighbor had appealed the development.

Councilmember Mauno expressed concerns with ridge height and privacy issues and suggested going back and working with staff.

Councilmember McIntyre asserted that the project was a good one if the ridge transition could be mitigated and she suggested making the balcony a concession point. Mr. Duggins suggested enclosing the balcony on the south side where there is a neighbor but leaving it open on the street side.

In response to an inquiry from Councilmember Scotto, Planning Manager Isomoto agreed that measuring 8 ½ feet from the property line would save 8 feet but Planning Director Gibson asserted that would create problems with the driveway.

Mayor Walker indicated that a reduction of 3-4 feet would give equal ridgeline transition and would provide a simple solution to a project which is very buildable with minor changes.

Planning Manager Isomoto stated that the silhouette would need to be redone and they would like to continue the matter indefinitely and re-advertise it. Mayor Walker questioned the need to redo the silhouette and Councilmembers Scotto and Witkowsky indicated that they would like to have the silhouette go back up.

Mayor Walker responded to concerns raised by Mr. Duggins with respect to the term "indefinite."

**MOTION:** At 9:07 p.m. Councilmember Scotto moved to continue the hearing to a date not certain, with a new silhouette and the matter to be re-advertised once revised plans have been submitted. Councilmember Witkowsky seconded the motion and a roll call vote reflected unanimous approval.

**15. SECOND READING ORDINANCES**

**15a. ORDINANCE NO. 3527 RE ANIMAL LICENCES**

Second and Final Reading of Ordinance No. 3517 amending Section 41.3.2 of the Torrance Municipal Code relating to the cost of animal licenses.

**ORDINANCE NO. 3517**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING SECTION 41.3.2 OF THE TORRANCE MUNICIPAL CODE RELATING TO THE COST OF ANIMAL LICENSES**

**MOTION:** Councilmember Scotto moved to adopt Ordinance No. 3517. Councilmember Nowatka seconded the motion and a roll call vote indicated unanimous approval.

The City Council convened in joint session with the Torrance Redevelopment Agency at 9:08 p.m.

**11a. REDEVELOPMENT AGENCY ANNUAL REPORT – 2000-2001**

Recommendation of the Redevelopment Agency that City Council accept and file the Redevelopment Agency Annual Report for Fiscal Year 2000-2001 including the Independent Auditor's Report on Financial Statements and Compliance and file said report without further action. (COMPANION TO REDEVELOPMENT AGENCY ITEM 4A)

The report of the Redevelopment Agency was received by City Council by motion of Councilmember Nowatka with a second by Councilmember McIntyre.

**16. ORAL COMMUNICATIONS**

**16a.** Councilmember Lieu commented on the joint session with the Library Commission earlier in the evening and thanked the Library commissioners and staff for doing an excellent job. He also reminded everyone that DVDs and videos are available through the library system.

**16b.** Councilmember Mauno thanked a Torrance resident for a gift of fresh tomatoes.

**16c.** Councilmember Nowatka announced the Torrance Symphony's *Symphony Americana* concert to be held at Wilson Park on Sunday, August 18 at 2:00 p.m.

**16d.** Councilmember Nowatka stated that he had represented Mayor Walker at the Celebrate America award ceremony held by the American Businesswomen's Association DeOceana chapter.

**16e.** Councilmember Nowatka also reported representing Mayor Walker at the dedication ceremony for the Boys and Girls Club of the South Bay.

**16f.** Councilmember Witkowsky commented on a tour of various Torrance streets with Transportation Planner Semaan and expressed pleasure at traffic sound signals for the visually impaired on Anza Avenue and at 230<sup>th</sup> and Hawthorne.

**16g.** Councilmember Witkowsky expressed concern with the synchronized signals on Hawthorne and Torrance Boulevards.

**16h.** Mayor Walker stated that he would like staff to bring back an item to amend the ordinance regarding campaign fundraising specifically the short window to repay debt after political campaigns.

**16i.** Mayor Walker congratulated the Orange County Sheriff's Department on their response to the Samantha Runion case.

**16j.** Tammy Morehart, Torrance resident, submitted petitions noting a complaint against Club 2005 dance studio located in Old Torrance.

**17. EXECUTIVE SESSION**

At 9:27 p.m. the City Council and Redevelopment Agency recessed to closed session to confer with the City Manager and the City Attorney on the agenda matters listed under 17.a) Conference with Legal Counsel – Existing Litigation; 17.b) Conference with Legal Counsel – Anticipated Litigation; 17.c) Public Employees Performance Evaluation – City Manager and City Attorney; and 17.d) Real Property – Conference with Real Property Negotiator and Redevelopment Agency Real Property – Conference with Real Property Negotiator pursuant to California Government Code Sections 54956.9 (a), 54956.9 (b), 54957 and 54956.8.

**18. ADJOURNMENT**

At 10:43 p.m., the City Council meeting and Redevelopment Agency meetings were adjourned to Tuesday, August 6, 2002 at 6:00 p.m., for an executive session in the Council Chamber, with the regular meeting commencing at 7:00 p.m. in Council Chambers. Tuesday, July 30, 2002 will be a Council Dark Night.

Attest: /s/ Dan Walker  
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Mayor of the City of Torrance

/s/ Sue Herbers  
\_\_\_\_\_  
Sue Herbers  
City Clerk of the City of Torrance

Approved on September 10, 2002

Kristi Callan  
Recording Secretary

City Council  
July 23, 2002