

January 25, 2000

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

1. CALL TO ORDER

The Torrance City Council convened in an adjourned regular session at 5:30 p.m. on Tuesday, January 25, 2000, in the City Council Chambers at Torrance City Hall.

ROLL CALL

Present: Councilmembers Horwich, Lee, Messerlian,
O'Donnell, Walker, and Mayor Hardison.

Absent: Councilmember Cribbs.

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

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Agenda Item No. 16 was considered out of order at this time.

16. EXECUTIVE SESSION

At 5:30 p.m., pursuant to Government Code Section 54957.6, 54956.9[a] and 54956.8, the Council recessed into a closed session to discuss items as listed on the meeting agenda.

At 7:05 p.m., the Council returned to open session, with no action having been taken in closed session.

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Discussion returned to regular agenda order.

2. FLAG SALUTE/INVOCATION

Mrs. Heidi Ashcraft, President, Torrance Unified School District Board of Education, led the Pledge of Allegiance.

Pastor Lloyd Harrison, South Bay Church of God, gave the invocation for the meeting.

3. AFFIDAVIT OF POSTING/WAIVE FURTHER READING

MOTION: Councilmember Lee 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 Horwich and, there being no objection, it was so ordered by Mayor Hardison, absent Councilmember Cribbs.

MOTION: Councilmember Lee 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 Horwich and, there being no objection, it was so ordered by Mayor Hardison, absent Councilmember Cribbs.

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Mayor Hardison asked that the meeting be adjourned in memory of William B. Willett, retired Custodial Supervisor of the General Services Department, and Julie Dundore, wife of former Finance Director, Bill Dundore.

Agenda Item No. 5 was considered out of order at this time.

5. **COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS**

City Clerk Herbers reminded the public that the last day to register to vote in the March 7 election is February 7, 2000.

Mayor Hardison announced that a meeting of the Legislation Committee would meet to consider the measures on the March ballot matters.

4. **WITHDRAWN/DEFERRED ITEMS**

None.

6. **COMMUNITY MATTERS**

6a. **PROCLAMATION RE CALIFORNIA SCHOOL BOARD RECOGNITION MONTH**

Mayor Hardison presented a proclamation declaring January 2000 as ***CALIFORNIA SCHOOL RECOGNITION MONTH*** in the City of Torrance to Heidi Ashcraft, President, Dr. William Blischke, Vice President, and Kurt Driskill, Member, Torrance Unified School District Board of Education, and Dr. Arnold Plank, Superintendent Torrance Unified School District.

6b. **PROCLAMATION RE TORRANCE COMMUNITY TELEVISION DAY**

Mayor Hardison presented a proclamation declaring Friday, January 28, 2000 as ***TORRANCE COMMUNITY TELEVISION DAY*** in the City of Torrance to Eileen Hausmann, chair, Cable Television Advisory Board.

7. **CONSENT CALENDAR**

7a. **AGREEMENT RE TRANSMACHINE FOUNDATION**

Recommendation

Recommendation of the City Manager and City staff that City Council approve an access agreement between the City and the TransMachine Foundation to plant cherry trees on City-owned property along Torrance Boulevard and Van Ness Avenue.

7b. **PARKS AND RECREATION FUND TRANSFER JOSLYN CENTER IMPROVEMENTS**

Recommendation

Recommendation of the Parks and Recreation Director that City Council approve the transfer of \$4,950.00 from the Parks and Recreation Department's Donation Fund to the Parks and Recreation Enterprise Fund, Cultural Services Division operating budget for professional services rendered by Renzo Zecchetto Architects related to facility renovation and improvements at the Joslyn Center.

MOTION: Councilmember O'Donnell moved for the approval of Consent Calendar Items a and b as written. The motion was seconded by Councilmember Walker and passed by a unanimous roll call vote, absent Councilmember Cribbs.

11. **ADMINISTRATIVE MATTERS**

11a. **FINANCING AGREEMENTS BY AND BETWEEN CARSON MADRONA COMPANY, LLC, PUBLIC FINANCING AUTHORITY AND THE CITY OF TORRANCE FOR PUBLIC PARKING STRUCTURES**

Recommendation

a. *[Companion to Public Financing Authority Item 4a.]*

Recommendation of the City Manager and the Finance Director that City Council:

- 1) Approve the Torrance Public Parking Structures Financing Agreement;
- 2) Approve the Public Parking Structure Maintenance Agreement(s) for structures (a) and (b);
- 3) Approve as to form the Phase 1 and Phase 2 Air Rights Parcel Lease(s) by and between the Carson Madrona Company, LLC, as Landlord and Torrance Public Financing Authority as Tenant;
- 4) Approve as to form the Air Rights Parcels Sublease(s) and Lease of Public Parking Structures(s) A and B, agreements by and between the Torrance Public Financing Authority as lessor and the City of Torrance as lessee; and
- 5) Authorize the Mayor to sign for the City and the Chair of the Financing Authority to sign for the Authority and for the City Clerk to attest to the agreement(s).

It is further recommended that City Council authorize the City Attorney to make minor, non-substantial changes to the Agreement prior to its execution.

MOTION: Councilmember Lee moved to enter into a joint meeting with the Public Financing Authority. The motion was seconded by Councilmember Walker and passed by unanimous roll call vote, absent Councilmember Cribbs.

Assistant to the City Manager Sunshine made a brief presentation indicating that few changes had been made since the document had previously seen by the City Council in January and November of 1998. The Financing Agreement requires a renovation of the North Mall and the re-population of tenants calling for the acquisition of an Air Rights parcel as an optional component of the Phase 2 parking structure. The Maintenance Agreement sets requirements for general maintenance and repair of the

parking structure A and provides for the Mall to supply service to the structure at no cost to the City and provide all cost for maintenance and repair. The Air Rights Parcel Lease is for air rights only with the ground level area remaining under control of the Mall. The parking structure is to be paid for through the issuance of Certificates of Participation guaranteed by the Mall.

The sub lease of the public parking structure creates a method for reimbursing the Mall should there be a sales tax growth over the baseline outlined in the Financing Agreement.

The planning issues involved with the revitalization of the north end of the mall and an entertainment center were to be presented to the Planning Commission on February 2.

MOTION: Councilmember Walker moved to approve Public Financing Authority Item 4a. The motion was seconded by Councilmember O'Donnell and passed by unanimous roll call vote, absent Councilmember Cribbs.

MOTION: Councilmember Walker moved to concur with staff recommendations. The motion was seconded by Councilmember O'Donnell and passed by unanimous roll call vote, absent Councilmember Cribbs.

MOTION: The Public Financing Authority was adjourned to an unspecified date.

12. **HEARINGS**

12a. **CITY COUNCIL CONSIDERATION RE ZONE CHANGE FROM ML TO C-2**

Recommendation

- a. Recommendation of the Planning Director that City Council:
- 1) Approve Zone Change ZON99-00005;
 - 2) Adopt an **ORDINANCE** amending Division 9 of the Torrance Municipal Code to reclassify certain property located at 1840 186th Street and 18605, 18655 and 18715 Western Avenue from ML (Limited Manufacturing District) to C-2 (General Commercial District); and
 - 3) Approve a summary of the ordinance for publication.
(ZON99-00005: City of Torrance).

Mayor Hardison announced that this was the time, date and place for a public hearing on this matter. City Clerk Herbers confirmed that the hearing was properly advertised.

MOTION: Councilmember Messerlian moved to close the public hearing. The motion was seconded by Councilmember Horwich and passed by unanimous roll call vote, absent Councilmember Cribbs.

ORDINANCE NO. 3478

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 1840 186TH STREET, 18605, 18655 AND 18715 WESTERN AVENUE FROM ML (LIMITED MANUFACTURING DISTRICT) TO C-2 (GENERAL COMMERCIAL DISTRICT).

ZON99-00005: CITY OF TORRANCE

MOTION: Councilmember Messerlian moved for the adoption of Ordinance No. 3478. The motion was seconded by Councilmember Walker and passed by unanimous roll call vote, absent Councilmember Cribbs.

MOTION: Councilmember Messerlian moved to approve the zone change. The motion was seconded by Councilmember Horwich and passed by unanimous roll call vote, absent Councilmember Cribbs.

MINUTE MOTION: Councilmember Messerlian moved to approve publication of the summary of ordinance. The motion was seconded by Councilmember Horwich and passed by unanimous roll call vote, absent Councilmember Cribbs.

12b. **CITY COUNCIL CONSIDERATION RE APPEAL OF PROPERTY AT 421 PASEO DE LAS ESTRELLAS**

Recommendation

Recommendation of the Planning Director that City Council deny the appeal and approve Precise Plan of Development (PRE99-00017) allowing the construction of a first and second story addition to an existing one-story residence on property located in the Hillside Overlay District, in the R-1 zone at 421 Paseo de las Estrellas. **RESOLUTION**

(PRE99-00017: MICHAEL AND ALINA MARDESICH)

Mayor Hardison announced that this was the time, date and place for a public hearing on this matter. City Clerk Herbers confirmed that the hearing was properly advertised.

Planning Manager Isomoto made a brief presentation to the City Council noting the footprint of the old home along with the proposed additions noting there were no second story windows proposed for the east side to alleviate privacy considerations. Discussion at the Planning Commission centered on the feasibility of constructing a one story addition, the positioning of the second story toward the front of the house and the removal of two trees to the house. The neighbor to the east strongly objected to the project citing loss of view, sunlight and air. Planning Manager Isomoto noted that a condition asking a condition for removal of two trees was added by the Planning Commission. The motion was passed by a 4-2 vote with one commissioner absent.

Mayor Hardison noted that she could not find a condition for no windows on the east side and was advised that any future action to add them would take another conditional use permit.

Mr. Frank Bizjak, 425 Paseo de las Estrellas, Redondo Beach, indicated that he had been at this residence for 35 years. He referring to material of record (pages 23 through 25) stated that he disagreed with the proponents statements as issued by the Planning Department. He submitted photographs for the record depicting blockage of his view of light, sky and sun from the kitchen and bedroom windows on the west. Citing TMC91.41.6 and TMC91.41.10 he asserted that there were no special circumstances for this building. Mr. Bizjak again referred to the statements written by the proponents attached to the Hillside Precise Plan Application and disagreed with statements made regarding to view impairments, privacy, design elements, impact on land values, and adverse cumulative impacts.

Mayor Hardison clarified with Mr. Bizjak that his loss of views as described were of the sky not necessarily the ocean.

Mr. Michael Mardesich, 421 Paseo de las Estrellas, asked for direction from the City Council noting that it had been indicated to them that it may be in their best interest in light of litigious neighbors that the application be withdrawn and resubmitted to the Planning Commission as the hardship provision had been removed from the Hillside Ordinance .

City Attorney Fellows indicated that he did not feel it necessary to withdraw the application for if the Council wished the case could be referred back to the Planning Commission for reconsideration in light of the Hillside Ordinance amendment and direct the Planning Commission to bring back to the Council either with or without a certification of consistency with the amended ordinance.

Clarifying processes with the City Attorney, Mayor Hardison stated that after reading the item again and hearing Mr. Bizjak's comments that that there was reference to a part of the Hillside Ordinance that had been amended. She asked for direction from the City Attorney as to when Mr. Mardesich should make his presentation.

In response to Mayor Hardison and Councilmember Messerlian's inquiry as to whether the matter would then return to Council, City Attorney Fellows related that they could choose to return the matter to Planning Commission to have them verify that all requirements of the Hillside Ordinance are satisfied and that the appeal would remain on file and automatically come back to the City Council. It was noted in further discussions that the Hillside Ordinance had been amended subsequent to the original decision of the Planning Commission. Planning Manager Isomoto indicated that the Planning Commission would take this under consideration at the meeting of March 1, 2000 and City Attorney Fellows indicated that it would then return to Council on March 14, 2000 along with Mr. Bizjak's appeal. City Attorney Fellows further pointed out that this would be a re-determination of the project with a re-approval process.

James and Jean McGarry, 520 Paseo de las Estrellas, indicated that they had been residents for 15 years and fully supported the proposed second-story addition, which would give the neighborhood a facelift and improve property value.

MOTION: Councilmember Lee moved to close the public hearing. The motion was seconded by Councilmember Walker and passed by unanimous roll call vote, absent Councilmember Cribbs.

MOTION: Councilmember Lee moved to refer the matter back to the Planning Commission to have them look to the question of whether the proposed precise plan is consistent with the Hillside Ordinance as amended and return back to City Council on March 14, 2000. The motion was seconded by Councilmember Walker and ultimately passed by a roll call vote with Councilmember O'Donnell dissenting, absent Councilmember Cribbs.

Councilmember Horwich indicated that he had visited the property and was fundamentally in favor of the project and would ask for mitigation for the kitchen window when it was returned..

Councilmember O'Donnell agreed that the matter be remanded back to the Planning Commission but questioned the correlation of the appeal filing date and stated her opinion that the ordinance as written was applicable at the time the decision was made.

City Attorney Fellows clarified that the action taken by the City Council in amending the Hillside Ordinance, a zoning ordinance amendment, was a legislative act and the state of a zoning ordinance at the time of approval is the one applied as a matter of law.

Mr. Walker indicated that he did take his job seriously and had studied the matter thoroughly before making his decision.

13. APPEALS

13a. APPEAL RE DOWNTOWN TORRANCE CRAFT FAIR

Recommendation

Recommendation of the City Manager that City Council to deny the appeal and concur with staff's recommendation not to allow a Downtown Craft Fair on a monthly basis in the Downtown Torrance area.

At 9:05 p.m., Councilmember Walker announced abstention on this item due to a personal business interest, and on the advice of counsel, Councilmember Lee also excused his presence during this item because his office is located in downtown Torrance. Both members exited Council Chambers.

Assistant to the City Manager Sunshine indicated that a total of 260 surveys were hand-delivered by the redevelopment staff to businesses and residents within the area.

Mr. Jeff Remy, President of the Downtown Torrance Association, pointed out that downtown Torrance is an obscure area and there is a need to improve retail business. He further explained that events such as the craft fair bring in about two to four thousand people who might not have otherwise shopped in the area.

Mayor Hardison pointed out that the City had been very supportive of the downtown business events by expediting and providing a blanket license from the onset of the first show. She further noted that a flyer had already been printed showing two events per month before approval had been given.

Mr. Remy related that flyers were printed in anticipation of approval and further noted that the City survey does not ask if people want two events per month.

Councilmembers Horwich and Messerlian pointed out that there is a question asking people how they feel about the events and the frequency.

Councilmember O'Donnell related that she lives in the downtown area and had received calls from condominium residents in the area who said that one street fair is fine but two is too many. They cited reasons of limited parking and that the quality of merchandise was more like a garage sale. Upon consideration of the residents' concerns, Councilmember O'Donnell suggested that the quality of the fair needed to be upgraded before a second fair is considered.

Miss Abigail Dock, Girl Scout Troop 836, Torrance, shared that the downtown street fair had given them an opportunity to have a booth that better established their troop.

Mrs. Julie Dock, 1321 Engracia Avenue, Torrance, 15-year resident and former president of the neighborhood association, commended the craft fair as an important part of downtown Torrance.

Mr. Dave Boule, Fonthill Avenue in Marble Estates, related that he had attended the street fairs and enjoyed them.

Mr. Jim Brown, 2267 W. Carson Street, indicated that he was in favor of having the fairs and felt they improved the area.

Mr. Gerald Lawrence, 3131 W. 186th Street, related that he had never been drawn to shopping in downtown Torrance until the antique show.

Mrs. Jackie Lawrence, 3131 W. 186th Street, commended the Antique Fair.

Mr. Scott Bytof, President, Brisas Del Prado Homeowner's Association, pointed out that the street fair is part of a marketing plan and that the businesses need these street fairs on Sundays.

Ms. Hope Witkowsky, Retired Senior Volunteer Program, indicated that she worked in downtown Torrance on Post Street. She said there was a sense of community downtown and a need to support these stores and was in favor of two fairs per month.

Mr. Ron Tanino, business owner and resident of El Prado, related that the street fair brings him many new customers and so he is in favor of more street fairs.

Mr. George Ferrante, Gardena resident and former Torrance resident, was in favor of the fair.

Mr. Alan Hill, resident of Torrance, had been to the fair and described it as a rummage sale that should be moved to a swap meet.

The Council recessed from 9:31 p.m. to 9:40 p.m.

Mr. Marco Gonzalez, eight-year resident at 24 W. Maricopa Street, related that he was a collector and finds the shows fascinating.

Mr. Robert Brandt appreciated the City Council and their vision for the downtown area and felt that the fair would put Torrance on the map.

Mr. John Zsilauetz, New Jersey resident here on extended business, enjoyed the fair.

Mr. David Pillar, 1421 Marcelina Avenue, merchant for ten years, expressed hope that the street fair would continue.

Ms. Toshi Ericksson, 47-year resident, 2456 W. 234th Street, related that the street fair had improved and hoped it would continue.

Mr. Joey Ikemoto, 1267 Sartori Avenue, business owner, indicated that he had written several letters to the Council opposing the fairs. He further related that his business was open on Sundays during the street fairs and his customers had to walk two and one-half blocks because of the limited parking. He pointed out the Daily Breeze picture of the fair depicting more of a garage sale atmosphere.

Mr. Byron Stefferud, West Torrance buyer and gallery owner, commended the fair and hoped it would continue.

Ms. Janet Payne, 1318 Engracia Avenue, expressed support for the fair and the hope that everyone work together.

Ms. Barbara Zamitiz, 1340 Post Avenue, Rudy's Restaurant owner, stated that the fair was good for business.

Mr. Jim Jensen, owner of A&J Antiques, related that people collect anything and the fair brings more people into Torrance.

Mr. Chuck Boughton, patron, indicated support for anything that enhances Torrance and its businesses and supports the street fair.

Assistant to the City Manager Sunshine indicated that Mr. Remy, Planning Manager Bihn and he had met concerning the second day event. Mr. Remy indicated that there had been a miscommunication during the meeting as to the intent.

Mayor Hardison clarified that the Council was considering an additional event per month, not taking away the current one day per month event.

Councilmembers Horwich and O'Donnell related that it is in everyone's best interest for the merchants of downtown Torrance to flourish, and further commended the association for their hard work and expressed the need to improve the current fair and then look at expansion to an additional day.

Councilmember Messerlian pointed out that this Council was committed to downtown Torrance evidenced by the commitment to revitalize the area, and further explained that the quality of the fair must first be upgraded citing the example of the Farmer's Market that originally started with only one day and then became so successful, it went to two days.

Mayor Hardison pointed out that the City has been committed to downtown and agreed with the direction of working to make the first fair better before expansion. She further related that she would like to see consistency in presentation of merchandise and encouraged dialog between the merchants.

MOTION: Councilmember O'Donnell moved to deny the appeal and concur with staff recommendations. The motion was seconded by Councilmember Horwich and passed by unanimous roll call vote, absent Councilmembers Cribbs, Lee and Walker.

At 10:25 p.m., Councilmembers Lee and Walker returned to the Council meeting.

15. ORAL COMMUNICATIONS

15a. Councilmember Messerlian inquired when the moving of Channel 22 to Channel 3 would take place. Assistant to the City Manager Sunshine indicated that it was scheduled to take place in 45 days. Mayor Hardison requested the transition be properly advertised to residents.

15b. Councilmember O'Donnell announced that the Business Development Outlook Magazine rated Torrance number 11 out of the 25 best cities for doing business in the United States.

15c. Ms. Shirley Turner, 23216 Juniper Avenue, requested support of Proposition 12 on the March 7th ballot. She then distributed flyers advertising that the Friends of Madrona Marsh and the Surfnder Foundation were co-sponsoring an event on Wednesday, February 2, 2000, 7:00-9:00 p.m. at the Katy Geissert Library regarding Proposition 12 and 13 and would be showing the film, "Last Stand" of which a portion was on the Madrona Marsh.

17. **ADJOURNMENT**

At 10:31 p.m., City Council and Redevelopment Agency adjourned to Tuesday, February 1, 2000, at 5:30 p.m. for an Executive Session, with the regular meeting commencing at 7:00 p.m. in the Council Chambers.

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***Adjourned in Memory of
William B. Willett, retired
Custodial Supervisor of the
General Services Department, and
Julie Dundore, wife of former
Finance Director, Bill Dundore.****

Attest:

Mayor of the City of Torrance

Sue Herbers
City Clerk of the City of Torrance

Approved on July 11, 2000