

March 24, 1998

**MINUTES OF A REGULAR MEETING
OF THE TORRANCE CITY COUNCIL**

1. **CALL TO ORDER**

The Torrance City Council convened in a regular session at 7:05 P.M. on Tuesday, March 24, 1998, in the City Council Chambers at Torrance City Hall.

ROLL CALL

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

Absent: None.

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

2. **FLAG SALUTE/INVOCATION**

The North High School Army JROTC led the Pledge of Allegiance.

Father Paul Albee, Nativity Catholic Church, gave the invocation for the meeting.

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Mayor Hardison asked that the meeting be adjourned in memory of Mr. Sam Failla and the Los Angeles City Firefighters Michael A. Butler, Eric F. Reiner, and Michael McComb, who recently lost their lives in a helicopter accident while on duty.

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 Cribbs and, there being no objection, it was so ordered by Mayor Hardison.

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 Cribbs and, there being no objection, it was so ordered by Mayor Hardison.

City Council
March 24, 1998

4. **WITHDRAWN/DEFERRED ITEMS**

None.

City Manager Jackson announced that the Redevelopment Agency Closed Session items shown on the meeting agenda would not be necessary this evening.

5. **COMMITTEE MEETINGS/ANNOUNCEMENTS**

Finance and Governmental Operations Committee

Tuesday, March 24, 1998, 5:30 P.M., West Wing Commission Room
Mid-Year Budget Review

6. **COMMUNITY MATTERS**

Mayor Hardison advised that Agenda Item No. 18b (Proclamation Re Women in Management Week) was added to the "Community Matters" portion of the agenda.

6a. **RESOLUTION NO. 98-26 RE EDWIN BARSZCZ**

On behalf of the American Federation of State, County and Municipal Employees (AFSCME), Mr. Alan Lee congratulated Mr. Barszcz on his retirement and thanked him for his constructive contributions.

City Clerk Herbers read aloud the title of Resolution No. 98-26.

MOTION: Councilmember Nakano moved for the adoption of Resolution No. 98-26 as written. The motion was seconded by Councilmember Walker and passed by unanimous roll call vote.

RESOLUTION NO. 98-26

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
TORRANCE COMMENDING AND CONGRATULATING
EDWIN M. BARSZCZ UPON HIS RETIREMENT FROM THE
CITY AFTER THIRTY-SEVEN YEARS OF SERVICE

Mayor Hardison on behalf of the Council presented Mr. Edwin Barszcz with a copy of Resolution No. 98-26, commending and congratulating him upon his retirement from the City after thirty-seven years of service.

6b. **PROCLAMATION RE SRI LANKA DAY**

Mayor Hardison on behalf of the Council presented a proclamation to Mr. Nihal Kuruppu and Mr. Gopal Singham, California-Lanka Association, declaring Sunday, April 5, 1998, as "Sri Lanka Day" in the City of Torrance.

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City Council
March 24, 1998

Agenda Item No. 18b was considered at this time.

18b. **PROCLAMATION RE WOMEN IN MANAGEMENT WEEK**

Mayor Hardison on behalf of the Council presented a proclamation to Ms. Melissa Bergstrom-McAuliffe, South Bay Chapter of Women in Management, declaring the week of March 28 through April 3, 1998 as "Women in Management Week."

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6c. **PRESENTATION OF QUARTERLY CHAMBER OF COMMERCE BUDGET**

Mr. Ray Frew, Torrance Area Chamber of Commerce, presented the Chamber's Second Quarter Budget Report for the months of October, November and December 1997. He congratulated the Mayor and Councilmembers on their recent re-elections and Mr. Ed Barszcz and his wife, Dorothy, on his retirement.

7. **CONSENT CALENDAR**

7a. **INVESTMENT REPORT FOR FEBRUARY 1998**

Recommendation

The City's Statement of Investment Policy requires the City Treasurer to report a monthly statement of investment activity. The City Treasurer recommends that the City Council accept and file the subject report.

7b. **COLLING'S FOUNDATION EXHIBIT**

Recommendation

The Airport Commission recommends the Torrance City Council:

1. Approve the Colling's Foundation to display their exhibit at Zamperini Field on May 14, 15, 16, 17 and 18, 1998.
2. Designate the Colling's Foundation Exhibit as a special exhibit under Section 46.8.10 of the Torrance Municipal Code which exempts such events from aircraft noise regulations.
3. Allow the Colling's Foundation to give flights for hire under the following parameters:
 - a. Thursday, May 14, 1998 1 flight at dusk
 - b. Friday, May 15, 1998 1 flight mid morning
1 flight mid afternoon
1 flight at dusk
 - c. Saturday, May 16, 1998 1 flight mid morning
1 flight mid afternoon
1 flight at dusk
 - d. They will also support the Armed Forces Day Parade at noon.
Sunday, May 17, 1998 1 flight mid morning
1 flight mid afternoon
1 flight at dusk
 - e. Monday, May 18, 1998 Departure flight

City Council
March 24, 1998

7c. **PURCHASE OF FURNITURE FOR POLICE FACILITY**

Recommendation

The Chief of Police and the General Services Director recommend that the City Council authorize the issue of a purchase order to GF Office Furniture LTD, Canfield, Ohio, in the amount of \$206,902.40 for modular furniture for the Detective Division, Vice and Narcotics Division, Traffic Division and Records Division.

7d. **SALE OF SURPLUS VEHICLES**

Recommendation

It is the recommendation of the Acting Fleet Services Director that the City Council authorize the sale of surplus City vehicles.

7e. **INCREASE IN CONTRACT WITH ALBERT GROVER AND ASSOCIATES**

Recommendation

The Planning Director recommends that the City Council authorize the increase of an existing contract with Albert Grover and Associates by an amount of \$10,000 to cover the cost of the preparation of plans for pedestrian enhancements and to conduct soil tests in the medians along Hawthorne Boulevard between Torrance and Sepulveda Boulevards.

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

11. **PLANNING AND ZONING MATTERS**

11a. **MODIFICATION TO STREET TREE POLICY**

Recommendation

The Streetscape Team recommends that the City Council adopt the modified Street Tree Policy (Establishment of Criteria for Special Designated Areas) and adopt Resolution No. 98-34.

Principal Planner Bluman, Chairperson for the Streetscape Team, presented the staff report (per written material of record). Answering questions from the Council, Ms. Bluman provided input on the City's success in addressing problems caused by tree roots.

City Manager Jackson advised that, should trees damage sewer lines or create major problems in the infrastructure which cannot be dealt with, the trees would be removed. He advised that the intent would be to not remove trees unless there are significant risks or related problems. Mr. Jackson clarified that very few complaints are related to buildings damaged by trees; that the proximity of a building to the trees, and not the type of foundation, causes problems; and that it is impossible to divert trees from growing toward building foundations once they root .

Following inquiries from the Council, Street Tree Supervisor Chamness commented on the difficulty of determining the age of trees which cause foundation and sewer problems. However, the general rule is that trees 20 to 30 years of age cause such problems.

Councilmember Lee supported the idea of empowering residents to decide what they want to do with trees in front of their homes. But, he related his concern that saving trees would be expensive because of related damage. He suggested that discussion of requiring individual property owners to sign a waiver to retain trees causing damage be included when the tree policy is re-examined in the future.

City Attorney Fellows verified that a waiver program could be put in place to ensure that waivers signed by property owners would be recorded.

Relating his knowledge of sewer damage caused by a tree, Councilmember Nakano observed that it would be more prudent to remove a tree when a problem arises rather than to wait until more extensive damage occurs.

City Manager Jackson advised that the current policy allows for a property owner to obtain a permit to remove a tree in front of their house and replace it with a smaller tree; and that, should the proposed modifications be approved, a higher assessment of the cause for removing the tree would be required.

Councilmember Nakano observed that the proposed modification of a higher assessment of the cause for removing a tree would discourage a property owner from doing so.

Mayor Hardison recalled that, prior to the adoption of the Street Tree Policy, it was practically impossible for residents to remove street trees. She voiced her hope that, when complaints are received, staff will look into whether claims due to sewer damage on a particular block have been made. She related her understanding that problems could be created as a result of some of the action this evening.

Following questions from the Council, Senior Principal Planner Bluman advised that, with the exception of the Seaside Ranchos area (which is already included, the Hillside Overlay District could be exempted from the policy.

Ms. Edith Dominguez, Ocean Avenue, presented input on her experience with tree roots, including a very expensive sewer bill. She asked the Council to extensively consider the proposed modifications to the Street Tree Policy prior to approving them.

Ms. Donna Sprietzer, 21930 Ocean Avenue, serving as president of the Southwood Homeowners' Association and representing several residents on Ocean Avenue, addressed the need for safeguards to make certain that the trees are not removed for the sake of personal preference. She maintained that trees should only be removed with good reason and with the approval of four to five surrounding homeowners; that replacement trees should be the same as others on the block; and that the approval requirement should be changed to reflect two-thirds of those who responded.

Mr. Glenn Tanner, 359 Paseo de Gracia, related the Riviera Homeowner Association's general support of the existing Street Tree Policy. He observed that the proposed modifications would pit neighbors in the Hillside Overlay District against one another because of the varied terrain and, therefore, suggested that the Policy remain as is or that the Hillside Overlay District be exempted.

At the request of the Council, Street Tree Supervisor Chamness advised that there have been approximately 30 permits issued since the Street Tree Policy went into effect.

The Council generally agreed to approve the proposed modifications to the Street Policy and to exclude the Hillside Overlay District.

MOTION: Councilmember Lee moved to concur with the recommendation of the Streetscape Team, with the understanding that the Hillside Overlay District shall be excluded. The motion was seconded by Councilmember Messerlian and ultimately passed by a 5-1 majority roll call vote, with Councilmember Nakano dissenting.

Councilmember Lee clarified the reference to the Hillside Overlay District in the motion as those not described in the agenda item.

The motion was passed by a 5-1 majority roll call vote, with Councilmember Nakano dissenting.

City Clerk Herbers read aloud the title of Resolution No. 98-34.

MOTION: Councilmember Walker moved for the adoption of Resolution No. 98-34, excluding the areas in the Hillside Overlay District not described in the agenda item. The motion was seconded by Councilmember Lee and passed by a 5-2 majority roll call vote, with Councilmember Nakano dissenting.

Mayor Hardison voiced her concern over the potential for liability and she asked staff to monitor this closely.

13. **ADMINISTRATIVE MATTERS**

13a. **ORDINANCE RE CITY'S OBSOLETE PERSONAL PROPERTY**

Recommendation

The City Attorney recommends that the Council adopt an ordinance repealing

City Council
March 24, 1998

all of Article 2 of Chapter 1 of Division 2 of the Torrance Municipal Code relating to the sale of the City's obsolete personal property and adding a new Article 2 of Chapter 1 of Division 2 relating to the disposition of the City's obsolete personal property. The City Attorney further recommends that the Council approve the summary of the ordinance for publication.

In answer to an inquiry from the Council, background information on the proposed ordinance was provided by Deputy City Attorney Whitham.

City Clerk Herbers read aloud the title of Ordinance No. 3450.

MOTION: Councilmember Nakano read aloud the title of Ordinance No. 3450. The motion was seconded by Councilmember Walker and passed by unanimous roll call vote.

ORDINANCE NO. 3450

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE REPEALING ARTICLE 2 OF CHAPTER 1 OF DIVISION 2 OF THE TORRANCE MUNICIPAL CODE RELATING TO THE SALE OF THE CITY'S OBSOLETE PERSONAL PROPERTY, AND ADDING A NEW ARTICLE 2 OF CHAPTER 1 OF DIVISION 2 RELATING TO THE DISPOSITION OF THE CITY'S OBSOLETE PERSONAL PROPERTY

MOTION: Councilmember Messerlian moved to publish a summary of Ordinance No. 3450. The motion was seconded by Councilmember Cribbs and passed by unanimous roll call vote.

13b. **AMENDMENT TO LEASE WITH GREAT AMERICAN AIRCRAFT**

Recommendation

A recommendation of the Land Management Team for the City Council to adopt the first amendment to a lease originally dated March 2, 1993, with Great American Aircraft Maintenance Co., Inc., 3401 Airport Drive, to exercise the option to lease two additional parcels for the purpose of constructing 24 hangars on currently unimproved airport property.

MOTION: Councilmember Messerlian moved to concur with the recommendation of the Land Management Team. The motion was seconded by Councilmember Lee and passed by unanimous roll call vote.

13c. **RFP RE UTILITY BILLING, METER READING AND MAINTENANCE**

Recommendation

It is the recommendation of the City Manager that the City Council direct staff to include the Chairman of the Water Commission on the rating committee for the request for proposal for utility billing, meter reading and meter maintenance services.

Mayor Hardison noted supplemental written material of record distributed at the meeting as a March 24, 1998 memorandum addressed to the City Council from Finance Director Tsao.

City Manager Jackson provided an overview of information included in the staff report.

City Attorney Fellows recommended that the City Clerk distribute copies of pertinent letters from the Water Commission and the employee coalition.

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At 8:20 P.M., there was a recess until 8:30 P.M., when discussion of Agenda Item No. 13c continued.

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On behalf of the American Federation of State, County and Municipal Employees (AFSCME) Local 1117, Mr. Alan Lee discussed problems with this process. He asked that the current utility billing, meter reading and meter maintenance procedures remain as is and that internal items be cleaned up as needed. He emphasized that the issues at hand are centered around customer service, and not billing; that it is next to impossible to separate utility billing from meter reading and maintenance; and that the vendors who bid should not be allowed to change their bids after they are presented to the City. Mr. Lee recommended deferring to the Water Commission and City Manager recommendations to reject all proposals from outside vendors and retain the services provided by the existing Water Department.

Finance Director Tsao clarified that Southern California Edison Co. was the only bidder who changed their bid.

Councilmember Lee related his understanding that one of the roles of government is to ensure that services are cost effective, efficient and responsive, which was the intent of this process. He verified that, should the services be vended out, no City employees would be terminated; stated his feeling that the City must look into vending out the services due to possible cost savings; and related his opinion that bidders should not be allowed to change their bids. Councilmember Lee favored the idea of adding a City employee and an AFSCME representative to the review panel.

MOTION: Councilmember Lee moved to continue with the Request for Proposal (RFP) review process as outlined in a previous agenda item; to modify the review panel to add an AFSCME representative/employee not in the Water Department; and to concur with the proposed review criteria. Councilmember Cribbs seconded the motion for purposes of discussion.

Councilmember O'Donnell pointed out that the people previously made themselves abundantly clear that they do not want to deal with a middle man and she, therefore, could not support the motion.

Councilmember Nakano recalled that he expressed concerns about this matter during discussion of this topic at a previous Council meeting. He pointed out that the City takes pride in the type of services provided by employees; related his opinion that vending the services out would be a big step backwards; and indicated that, therefore, he could not approve the motion.

Councilmember Cribbs explained that, since she was absent from the previous Council meeting during which this subject was discussed, she watched the video. She clarified that, should this be approved, the Water Department would not be privatized at this time; that a committee to make recommendations with established criteria would be approved; and that this is an effort to make certain that the current process is efficient and effective.

Councilmember Cribbs voiced her concern that the Water Commission has apparently already arrived at a determination and she expressed her hope that the review panel, which would be reasonably well balanced, would be willing to objectively evaluate the RFPs in accordance with the criteria. Councilmember Cribbs indicated that she could support the staff recommendation and she noted that the RFPs were received quite some time ago.

Councilmember Walker commented that, in some areas, cost savings should not rule and that emphasis should sometimes be placed on departments, the relationship between employees and the people they serve. He related his desire for clarification as to what they City would have to do to be competitive in the area of utility billing and Councilmember Walker related his preference to keep the utility billing, meter reading and meter maintenance functions within the City at this time, with the understanding that, should it not be possible to do so in the future, the procedures for vending the services out will be examined at that time.

Councilmember Messerlian said that the issue is not one of privatization versus non-privatization, but whether or not the services delivered to the community are in the most cost effective and efficient manner possible and that the interests of the community are what should be guiding the efforts. He supported going forward with this process.

Councilmember O'Donnell contended that this process would put many people through an exercise of wasted motion when residents do not want to deal with a middle man. She observed that property owners appear to be willing to pay more to keep direct contact with the City for customer services.

Mayor Hardison related her opinion that this process should move forward, particularly since it is already very much in motion. She voiced her desire to see what the RFP information will bring forward and, therefore, indicated she could support the motion. Mayor Hardison stated her dismay and displeasure with the fact that the Water Commission has apparently already made a determination and that they are apparently biased against this idea.

The motion passed by a 4-3 majority roll call vote, with Councilmembers Nakano, O'Donnell and Walker dissenting.

13d. **CONTRACT RE LARGE METER TESTING AND REPAIR PROGRAM**

Recommendation

It is the recommendation of the Engineering Director that City Council
1) accept the bid and approve an agreement to Wheeler Meter Maintenance in the amount of \$34,800; 2) reject all other bids; and
3) authorize the Mayor to execute and the City Clerk to attest to this agreement on behalf of the City for large meter testing and repair services for the remainder of Fiscal Year 1997-1998.

Mayor Hardison noted supplemental written material of record distributed at the meeting as a March 24, 1998 memorandum addressed to the City Council from Engineering Director Burt.

Councilmember Lee recalled items have been sent back out to bid when only one bid was received.

Engineering Director Burt clarified that this is an annual contract; that the other bidders were deemed to be non-responsive because they bid on a time and material/as needed basis; and that the City has dealt with Wheeler Meter Maintenance for many years and is comfortable recommending that the contract be awarded to them for the remainder of the fiscal year.

Councilmember Lee observed that, unless the City is awarded the contract for large meter maintenance, Wheeler Meter Maintenance would not have a contract beyond the end of this fiscal year.

MOTION: Councilmember Lee moved to concur with the staff recommendation. The motion was seconded by Councilmember Cribbs and ultimately passed by a 5-1 majority roll call vote, with Councilmember Nakano dissenting.

In response to a question from the Council, Engineering Director Burt advised that the City has contracted out large meter maintenance services for many years and that doing so at this time would not impact any positions in the Water Department. He provided input on as-needed City expenditures related to large water meters over the last year.

Mayor Hardison asked staff to provide input in the future on the as-needed expenditures to test and repair the meters over the last year.

Mr. Alan Lee, American Federation of State, County and Municipal Employees Local 1117, offered input on the cost of vending out these services. He maintained that the past procedure of vending out the large meter testing and repair services should be discontinued.

City Council
March 24, 1998

At the request of the Council, City Manager Jackson clarified that vending out large meter services would not impact Water Department employees, that these services have been contracted out on a piecemeal basis in the past.

The motion was passed by a 5-1 roll call vote, with Councilmember Nakano dissenting.

14. **HEARINGS**

14a. **APPEAL RE CUP 97-0036: BEVERLY RICHARDS AND JENNIFER RICHARDS, d.b.a. MONTESSORI AND MORE**

Recommendation

The Planning Director recommends that the City Council approve the appeal and approve as conditioned CUP 97-0036 to allow the operation of a pre-school facility as an ancillary use within an existing church located at 2368 Sonoma Street at the southeast corner of Sonoma Street and Acacia Avenue in the R-1 zone. The Planning Commission recommends that the City Council deny the appeal and deny CUP 97-0036 to allow the operation of a pre-school facility as an ancillary use within an existing church located at 2368 Sonoma Street at the southeast corner of Sonoma Street and Acacia Avenue in the R-1 zone.

Because she resides in the designated notification area, Councilmember O'Donnell related her intent to abstain from consideration of this item and she subsequently exited the dais.

Mayor Hardison noted supplemental written material of record distributed at the meeting as a March 24, 1998 memorandum addressed to the City Council from Senior Principal Planner Gibson transmitting relevant correspondence.

The staff report was provided by Senior Principal Planner Gibson. He advised that the Code does not distinguish between commercial type preschools and those associated with churches; that, in the past the City has considered them the same; and that is the manner in which this being presented to the Council this evening.

Subsequent to inquiries from the Council, Senior Principal Planner Gibson explained that the Planning Commission denied this request and did not direct staff to bring any additional Conditions of Approval forward should it be approved by the Council. He supplied input regarding a preschool previously approved at the subject location and verified staff's intent to provide input on the distance in front of the Church property and on the number of vehicles which could park there.

Mayor Hardison opened the public hearing.

Ms. Beverly Richards, 2001 E. 21st Street, Signal Hill, co-owner of the subject preschool, distributed written material of record to the Council. She discussed the

City Council
March 24, 1998

following: that another preschool in the area will close in the near future; that only one other preschool in Torrance provides the Montessori program; and that there is a great demand for child care. She related her and Ms. Jennifer Richards' goal to eventually become a non-profit organization.

Ms. Jennifer Richards, 2336 254th Street, Lomita, applicant and co-owner of the subject preschool, provided background information on the request. She noted that a majority of residents contacted either supported the application or did not object to it. Ms. Richards commented on the traffic in the area, the maximum number of students who would attend the preschool at one time, the staggered arrival and departure times and the parking.

Referring to his letter of record included in the agenda packets, Mr. Phil Tamoush, 3827 Bluff Street, St. Matthew Church, maintained that this request should be approved in that it would be a continuance of a preschool which previously operated on the site, it would coincide with one of the General Plan goals to give children the highest priority and it would assist in enabling the Church to continue.

Addressing concerns expressed during the Planning Commission's previous discussion of this request, Mr. Tamoush contended that the amount of parking available would be more than adequate; that, other than during Church services, there is no parking problem on Sonoma Street; that traffic and noise would not be significantly impacted; that double parking and access through the alley would be prohibited; and that preschools are in great demand. He clarified that the Planning Commission denied the application on a 5-2 majority vote and Mr. Tamoush related the Church's desire to work with residents to help alleviate their concerns.

Mr. Barsoum Barsoum, 130 Manhattan Avenue, Hermosa Beach, project architect, advised that drop off/pick up on Acacia Avenue would not be allowed and that residents positively responded to this project.

Mr. George Shweiri, 324 Manhattan Avenue, Hermosa Beach, Vice President of St. Matthew Church, discussed the standard measurements for residential streets. He explained that, even though Acacia Avenue appears to be substandard, it meets the City's requirements for residential streets; however, it looks small because parking is allowed only on one side.

Mr. Anthony Bain, member of St. Matthew Church, related his opinion that the opposition to the proposed preschool is an argument of false dilemma. He maintained that no new information has arisen since the previous preschool approval in 1991 to justify a denial at this time and emphasized the importance of consistency in the law.

Mr. Ronald Zraick, 64 Cottonwood Circle, Rolling Hills Estates, St. Matthew Church, asked the Council to approve this application based on the past history of a preschool at the location.

Ms. Elaine Sidio-Pisu, 5327 Emerald Street, St. Matthew Church, stated her viewpoint that the Church is not causing the traffic problems in the neighborhood; that they should have the right to utilize the property in a legal manner; and that there are no parking problems in the area.

The following residents voiced their opposition to this request:

Mr. Doug Crawford	1516 Acacia Avenue
Mr. Joe Bravo	1630 Acacia Avenue
Mr. Andy Truesdell	1519 Acacia Avenue
Ms. Sandra Eads	2568 Sonoma Street
Mr. Ryan Tredinnick	1634 Acacia Avenue
Mr. Ralph Ternes	1626 Acacia Avenue
Mr. Scott Kasten	1613 Acacia Avenue
(and speaking on behalf of	
Mr. Robert Johnson	1617 Acacia Avenue)
Ms. Michelle Tredinnick	1634 Acacia Avenue
Mr. Ben Kae	1520 Acacia Avenue
Ms. Mariel Kueton	1625 Acacia Avenue

Opposing residents discussed the following: the existing/potential traffic and parking difficulties in the neighborhood, particularly on Sundays; the high traffic speeds in the area; the potential safety hazards (particularly for pedestrian children), should this request be approved; the proliferation of preschools in the area; the poor public notification of this item; the idea of locating the preschool in another area; They pointed out that this would be a business in a very small residential area and asked that the needs of the residents be placed above those of the preschool. Mr. Kae clarified that, contrary to their current standpoint, his wife signed a petition in support of the request some time ago.

Ms. Beverly Richards and Ms. Jennifer Richards came forward again to respond to opposing parties' concerns. They commented as follows: that they personally contacted numerous area residents to discuss the application and distributed written communications about this matter to all homes in the neighborhood; that there are no parking problems on Sonoma Street; that the arrival and departure times would be staggered and, therefore, would not impact traffic; that other schools in the area discussed by opposing parties appear to be similar but are not like the proposed Montessori school; that efforts have been made to mitigate potential impact; and that this preschool would provide a service to the Church, the community and parents who work.

MOTION: Councilmember Lee moved to close the public hearing. the motion was seconded by Councilmember Cribbs and passed by unanimous roll call vote, with Councilmember O'Donnell abstaining.

Councilmember Walker noted the need for this type of service in the community, and throughout California. However, he emphasized the need for a drop-off and pick-up area and indicated that, due to the absence of such an area, he could not support this request.

MOTION: Councilmember Walker moved to concur with the Planning Commission's recommendation to deny the project, thereby denying the appeal. The

City Council
March 24, 1998

motion was seconded by Councilmember Lee and ultimately passed by unanimous roll call vote, with Councilmember O'Donnell abstaining.

Councilmember Lee voiced his opinion that this would be too much of a commercial intrusion into a residential neighborhood.

At the Council's request, Deputy City Attorney Whitham provided clarification concerning consistency in the law. She advised that the project is before the Council according to the record for this project; that it is the Council's role to analyze the project based on the facts and to apply the appropriate standards to it; and that, while it should be the role of the City to be consistent, the Council is not bound to approve this application just because a preschool was previously approved at this location.

Senior Principal Planner Gibson provided input regarding the distance in front of the Church property and the number of vehicles which could be parked there. He advised that, other than field observation, no specific studies relevant to traffic or parking have been done; and that the existing traffic/parking situation is typical of what staff would expect around a school.

Mayor Hardison noted the need to address parking/traffic issues in the neighborhood, particularly at Nativity School.

Councilmember Messerlian observed that this would be a commercial enterprise with the preschool using the Church facility.

For the Council, Senior Principal Planner Gibson advised that, if a preschool is run solely in conjunction with church activities and, depending on the zone, a Conditional Use Permit would probably not be necessary. He offered information on the varying nature of such situations and on the consideration of each application on an individual basis. Mr. Gibson clarified that the preschool previously approved at this location was a commercial operation utilizing the Church facility and that possible locations for an off-site pick-up/drop-off area were examined, but were determined to be marginal or somewhat far away from the school. He verified that in order to provide such an area, it would be necessary to make modifications to the site.

Mayor Hardison related her reluctant intent to support the motion due to the many issues in the neighborhood. But, she voiced her feeling that churches are good locations for preschools and pointed out that those in the City which are successful have drop-off/pick-up areas or on-site parking.

Councilmember Nakano highlighted the excellent reputation of the Montessori program. However, he pointed out that this neighborhood was not designed for modern-day traffic and Councilmember Nakano indicated that he, therefore, could not support this request.

The motion was passed by a 6-0 unanimous roll call vote, with Councilmember O'Donnell abstaining.

Councilmember Messerlian called attention to the need to maintain quiet residential neighborhoods and that, while one particular entity is not creating problems, the cumulative impact must be taken into consideration.

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At 10:45 P.M., there was a recess until 10:50 P.M., when discussion reconvened in regular agenda order with all members present.

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16. **SECOND READING ORDINANCES**

16a. **SECOND AND FINAL READING OF ORDINANCE NO. 3449**

Mayor Hardison noted supplemental written material of record as a March 23, 1998 memorandum addressed to the Council from City Clerk Herbers clarifying the previous vote on this item.

City Clerk Herbers read aloud the title of Ordinance No. 3449.

MOTION: Councilmember Nakano moved for the adoption of Ordinance No. 3449, second and final reading. The motion was seconded by Councilmember Messerlian and passed by a 4-2-1 majority roll call vote, with Councilmembers Lee and Nakano abstaining and Councilmember Walker dissenting.

ORDINANCE NO. 3449

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE REPEALING SECTIONS 45.2.1 THROUGH 45.2.6 OF THE MUNICIPAL CODE RELATING TO CURFEW RESTRICTIONS FOR MINORS AND DAYTIME LOITERING BY MINORS DURING SCHOOL SESSION AND ADOPTING NEW SECTIONS 45.2.1 THROUGH 45.2.5

18. **ADDENDUM MATTERS**

18a. **CABLE TELEVISION FRANCHISE EXTENSION**

Recommendation

A recommendation of the City Manager for the City Council to adopt the resolution granting a month-to-month extension of the cable television franchise. This agreement is subject to cancellation by the City on 30 days' written notice.

City Clerk Herbers read aloud the title of Resolution No. 98-35.

MOTION: Councilmember Nakano moved for the adoption of Resolution No. 98-35. The motion was seconded by Councilmember Walker and passed by unanimous roll call vote.

City Council
March 24, 1998

RESOLUTION NO. 98-35

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE APPROVING THE EXTENSION OF THE CABLE TELEVISION FRANCHISE TERM PENDING COMPLETION OF NEGOTIATIONS FOR A FRANCHISE RENEWAL

18b. **PROCLAMATION RE WOMEN IN MANAGEMENT WEEK**

Considered earlier in the meeting (see page no. 3).

19. **ORAL COMMUNICATIONS**

19a. Councilmember Lee suggested that the Finance and Governmental Operations Committee consider Council seniority issues as they relate to term limits for councilmembers.

19b. Councilmember Messerlian asked for input on the issue of preschools operating in conjunction with churches.

19c. Councilmember O'Donnell announced classes to be offered at the Madrona Marsh during Spring break.

19d. Mayor Hardison commended the Youth Council's efforts relative to the recent 24 Hour Challenge Relay at Wilson Park.

20. **EXECUTIVE SESSION**

Pursuant to Government Code Sections 54957.6, 54956.9(a) and 54956.8, at 11:00 P.M., the Council entered into a closed session to discuss the matters listed on the meeting agenda.

21. **ADJOURNMENT**

At 11:58 P.M., the meeting was adjourned to Tuesday, April 7, 1998, 7:00 P.M.

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***Adjourned in Memory of
Mr. Sam Failla
and
Los Angeles City Firefighters
Michael A. Butler, Eric F. Reiner, and Michael McComb.***

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