

January 28, 1997

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

1. **CALL TO ORDER**

The Torrance City Council convened in a regular session on Tuesday, January 28, 1997, at 7:05 P.M., in the Council Chambers at Torrance City Hall.

ROLL CALL

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

Absent: Cribbs (Excused).

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

2. **FLAG SALUTE/INVOCATION**

Ms. Hazel Taniguchi, President, Torrance Sister City Association, led the Pledge of Allegiance.

Pastor Curtis Morris, Joyland Bible Church, gave the invocation for the meeting.

3. **AFFIDAVIT OF AGENDA 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 Messerlian and, there being no objection, it was so ordered by Mayor Hardison (absent Councilmember Cribbs).

4. **WITHDRAWN OR DEFERRED ITEMS**

None.

5. **COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS**

**Citizen Development and Enrichment Committee Joint Meeting
with the Torrance Unified School District**

Wednesday, February 5, 1997, 4:30 P.M.

Third Floor Assembly Room

Subjects: Youth Services Task Force Update, Redondo Beach Police
Shooting Range Update

Citizen Development and Enrichment Committee

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Monday, February 10, 1997, 5:30 P.M.
Third Floor Assembly Room
Subject: Natural History Center

6. **COMMUNITY MATTERS**

6a. **PRESENTATION OF RESOLUTION - MADRONA MIDDLE SCHOOL**

The Council presented previously adopted Resolution No. 97-04 honoring Madrona Middle School on its selection as a California Distinguished School to Ms. Katherine Enloe, Principal, Madrona Middle School, Dr. Laurie Love, Assistant Superintendent Torrance Unified School District, and Caren Dutton, past PTA President, Madrona Middle School.

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

The Council presented a proclamation declaring Friday, January 31, 1997, as Torrance Community Television Day to Mr. John Wong, Chairman, Cable Television Advisory Board.

6c. **INTRODUCTION OF TORRANCE SISTER CITY KASHIWA DELEGATION**

Sister City President Hazel Taniguchi introduced the following members of the Torrance Sister City Kashiwa delegation: Mamoru Ichimura and Hisae Ebihara, City Assembly Members, and Yosuke Sakamaki (Assistant Chief of the General Affairs Division, City Assembly Secretariat), City staff member. She provided information about the delegation's many activities while in Torrance.

Mayor Hardison related the Council's deep appreciation of a beautiful hand crafted picture presented to the City from the Kashiwa delegation.

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Following an invitation from Mayor Hardison, City Employee John Ziegler highlighted the success of the City's Toys for Tots drive during the 1996 Holidays. He thanked all who contributed.

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7. **CONSENT CALENDAR**

7a. **PURCHASE ORDER RE PARKS & RECREATION ITEMS**

Recommendation

The Parks and Recreation Director recommends that the Council authorize a purchase order for T-shirts, etc. for various programs and events and authorize a change order to pay outstanding invoices against an old purchase order.

7b. **INVESTMENT REPORT FOR DECEMBER 1996**

Recommendation

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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 report.

7c. **PURCHASE ORDERS RE CITY VEHICLES**

Recommendation

The Directors of General and Fleet Services recommend that the City Council authorize purchase orders through the State of California in the total amount of \$305,128.61 for the purchase of 9 sedans, 8 pickups and 1 cargo van as a cooperative purchase and \$2,818.74 for a service charge to the State of California for the use of their contracts.

MOTION: Councilmember O'Donnell moved to approve the Consent Calendar as written. The motion was seconded by Councilmember Walker and passed by unanimous roll call vote (absent Councilmember Cribbs).

13. **ADMINISTRATIVE MATTERS**

13a. **CITY STREET TREE VIEW IMPAIRMENT - HILLSIDE OVERLAY DISTRICT**

Recommendation

The Streetscape Team recommends that the City Council review and comment on the View Impairment Options and make modifications as appropriate; adopt a View Impairment Policy for the City-controlled trees in the Hillside Overlay District; and direct staff regarding the implementation.

On behalf of the Streetscape Team, Principal Planner Bluman presented the staff report. She noted that approximately 2,700 residents were notified that the Council would be considering this matter this evening and that those owning property within 500 feet of a street tree to be removed would be notified. With the aid of vu-graphs, as well as slides depicting view impairment resulting from City street trees, Ms. Bluman reviewed the options recommended by the Team (of record, included in the staff report) as follows: (1) Replacement Street Trees; (2) Removal and Replacement on Applicant's Frontage; (3) Removal and Replacement on Another Owner's Frontage; (4) Trees in Medians; and (4A) Trees in Medians (Alternative). She noted supplemental material of record pertaining to this topic from the following residents: Mr. and Mrs. Paul Teulain (329 Avenida Atazada, Redondo Beach); anonymous correspondent; Ms. Jean Adelsman (482 Palos Verdes Boulevard, Redondo Beach); and Mr. Roger E. Bacon (P.O. Box 282, Redondo Beach).

In response to inquiries from the Council, Street Tree Administrator Chamness advised that 12 permits to trim City street trees were issued as a result of the City policy adopted in 1995. He strongly advised against topping trees.

Principal Planner Bluman provided clarification concerning the streets which would be included in the 500 foot radius for notification of street trees to be removed.

Mr. Peter Brown, 652 Calle Miramar, voiced his distress over the possibility that street trees on Calle Miramar might be removed, particularly a Eucalyptus tree in front of his home and he stated his willingness to keep that tree trimmed to reduce possible view impairment. Mr. Brown maintained that the value of his home is enhanced by the trees on Calle Miramar, which should be as important as the value of properties with ocean views and he voiced his hope that a compromise can be worked out.

Having constructed a new home in the Hillside Overlay District (HOD), Mr. Michael Foster, 309 Via Pasqual, expressed his understanding that views in the HOD are well protected and he contended that views are in the eye of the beholder. Mr. Foster noted that the City restricts structures without neighboring residents' consent to a height of 14 feet, but trees can be well over that height, and urged the Council to expand the City's tree ordinance to include trees owned by private individuals.

Major Ron Campbell, 356 Calle Mayor, asked the Council to consider the views for which residents purchased their homes.

Ms. Rosemarie Consiguo-Bailey, receiving mail at 1914 So. Pacific Coast Highway, discussed problems she has had with trees impairing her view. She suggested that a map be compiled to identify which trees in the HOD are controlled by the city; recommended that replacement trees be smaller than 25 feet high when grown; contended that the larger problem of problem trees owned by individuals must be addressed; and emphasized that the problems would be minimized if all involved would work together.

Mr. Stelio Bosaz, 4009 Paseo de las Tortugas, presented photographs to illustrate his concern over the trees his neighbor planted between their homes.

City Manager Jackson advised that, unless they become fire hazards, the City does not regulate private plantings.

Ms. Lory Greenbaum, 309 Via El Chico, explained that she has the street trees in front of her home trimmed every so often. She questioned why a permit is necessary to do so and why replacement trees would be required in park ways. Ms. Greenbaum commented on the lack of consistency with regard to the type of street trees planted many years ago and she related her understanding that taxes pay for the trimming of street trees.

With regard to tree trimming permits, City Manager Jackson advised that the street trees belong to the City and the City must ensure that whatever is done to them does not increase the City's liability. He provided clarification with regard to tree trimming permit fees.

Ms. Shirley McNair, 345 Calle Mayor, commended the Council for taking a stand point against the Justice Department on behalf of the Torrance Police Department. She commented on the deteriorating views and property values in the HOD because of large Eucalyptus trees planted many years ago; asked for smaller trees in order to have both trees and views; and noted fire and safety hazards created by trees. Ms. McNair related her opinion that Option 4A (Trees in Medians [Alternative]) is too vague; that Option 4

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would be preferable over Option 4A; that a View Restoration Ordinance similar to the one adopted by the City of Rancho Palos Verdes should be adopted by Torrance. She said that it would not be economically feasible for Calle Mayor residents to keep the street trees trimmed.

Mr. John Rasmussen, 104 Via Estrellita, voiced his concern that the trees on his property and those in the park near his home will be destroyed.

Mr. George Schneider, 636 Calle Miramar, expressed his enjoyment of trees which partially block his view. He mentioned that he and his wife maintain a flower garden in the park near his home and Mr. Schneider asked the Council not to ruin the park by removing the trees.

Mr. Herb Evans, 644 Calle Miramar, stated his appreciation of the trees in the park near his home. Mr. Evans supported Option 1.

Mr. Frank Meyers, 317 Calle Mayor, suggested a partial defoliant which would enable the retention of the trees and would thin them out.

Mr. Glen Tanner, 359 Paseo de Gracia, President, Riviera Homeowners' Association, related property owners' objections to the cost of trimming trees. He stressed that the present system does not work and suggested a mechanism where a group of people could remove trees if they block neighboring residents' views.

An unidentified speaker, residing on Via La Silva, thanked the Streetscape Team for their efforts and he endorsed their recommendations. He noted that his view is impaired by trees.

Mr. Larry Parker, 683 Calle Miramar, highlighted the success he has had with topping trees on his property. He related his understanding that homes on Calle Miramar with views are worth 30% more than those without views and suggested that the City distribute a letter to property owners in the HOD asking them to respect neighboring property owners' requests to trim trees.

Ms. Betty Byer-DeLong, 336 Via El Chico, agreed with the staff recommendations and with the idea of expanding the City's tree ordinance to include all trees.

Mr. Sid Sawin, 640 Calle Miramar, advised that his family was encouraged to move to the area because of the trees. He concurred with the idea of trimming City street trees, particularly in the triangle park area near his home.

Ms. Kelly Buck, 112 Via Estrellita, offered her feeling that trees contribute to the community type feeling in the neighborhood. She voiced concern that someone attempted to poison a tree on her property and mentioned that she has never been approached about trimming/cutting the tree, which she would be willing to do. She related her opinion that it would be premature to remove the trees without trying to top them first; that the trees create ambiance in the area, add to the value of the homes and provide privacy; and that replacement trees would create the same type of fire hazard as the existing trees.

Ms. LuAnne Chan, 22319 Shadycroft Avenue, suggested that the trees be reviewed on a case-by-case basis. She stated her objection to the City becoming involved in the trimming of trees on private property.

Mr. Ed Sokolski, 600 Monte de Oro, emphasized the importance of obtaining an expert's opinion with regard to this topic. He recommended that the trees be thinned.

Ms. Lita Salbi, 4926 Calle de Arboles, reminded the Council that there are view impairment problems caused by Liquid Amber trees along Calle de Arboles and Paseo de las Tortugas. She mentioned her understanding that view impairment caused by trees results in property devaluation and the possible lowering of taxes, which could affect the City's finances.

Ms. Mary Kelting, 114 Calle de Arboles, explained that one of her neighbors has threatened to plant "spite" trees if they do not come to some type of agreement concerning a fence. She felt that affected residents should be consulted regarding the trimming/removing of trees and that some type of provision for recourse should be included.

Ms. Carolyn Kintz, 108 Via Estrellita, mentioned that one of her trees had to be removed because it was poisoned and she contended that Option 4A would encourage this type of action.

Mr. Wallen Goodman, 201 Via la Soledad, said that, urged restraint with regard to this issue.

Mr. Hugh Carmichael, 317 Via El Chico, suggested that the Council do something to relieve the pressure about trees in the HOD and that, should a consensus be reached amongst neighbors, individuals should be allowed to remove trees.

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At 9:02 P.M. there was a recess until 9:25 P.M. when the meeting reconvened with continued discussion of Agenda Item No. 13 a (City Tree View Impairment - Hillside Overlay District).

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Mr. John Fellows, 23139 Doris Way, observed that the Chinese Elm trees on his street are not on the tree replacement list and he suggested that the proposed policy be amended to take the special characteristics of a neighborhood, such as the Seaside Ranchos area, into account.

Ms. Jeannie Mathis, 104 Via Estrellita, questioned how the existing trees were chosen. She said that, with proper tree maintenance, views could be preserved and she noted her appreciation of the Eucalyptus tree in front of her home.

An unidentified speaker, residing at 5514 Via del Valle, suggested that the trees in the back of Triangle Park be trimmed, and not removed, and that an effort be made to retain trees.

In answer to a question from the Council, Street Tree Administrator Chamness provided detailed information concerning tree crown reduction.

Should a 50% approval to remove a tree not be obtained, City Manager Jackson advised that the normal maintenance of the tree would continue and, otherwise, there would be no opportunity to remove or eliminate the tree. He commented on the idea of the City pursuing an aggressive tree trimming program.

Councilman Walker commented on the possibility of property owners working together to keep trees trimmed to preserve views. He related his opposition to a policy whereby one property owner could tell another that a tree must be removed (as would be the case with the trees in the contiguous park way in the HOD). He stated that the vast majority of the homes in the HOD were constructed without any consideration to views; that the City should take finances into consideration when enacting a tree policy; that he could support Option 1 (Replacement Street Trees) at this time; and that property owners whose views are affected, and not those on whose property the trees exist, should be financially responsible for the tree trimming.

Councilmember O'Donnell related her appreciation of the ambiance created by trees and the fact that individuals purchase homes for views. She voiced concern over neighbors being put at odds with one another over trees and over the costs associated with regular tree trimming. Councilmember O'Donnell entertained the idea of placing a height limit on all trees.

Councilmember Lee acknowledged the view impairment problems caused by trees, as well as the importance of the ambiance created by trees. He voiced his disagreement with a policy whereby one property owner could demand tree trimming/removal and with further government intrusion into individuals' lives. Councilmember Lee indicated that he could support Options 1 (Replacement Street Trees) and 2 (Removal and Replacement on Applicant's Frontage). He suggested the idea of tree crown reduction in Estrellita Triangle on a trial basis to see if it would be possible to reinstate the view corridors and that the costs associated with tree trimming should be examined.

Mayor Hardison related her objection to the City becoming involved in issues concerning trees on private property. She suggested that the tree replacement list should be re-examined as Mr. Fellows discussed earlier in the meeting to take the special characteristics of a neighborhood into account. Mayor Hardison indicated that she could support Options 1, 2 (Removal and Replacement on Applicant's Frontage) and Option 3 (Removal and Replacement on Another Owner's Frontage). She recommended that Option 4 (Trees in Medians), as well as Councilman Lee's suggestion regarding tree crown reduction, should be further reviewed.

Councilman Nakano voiced his agreement with Options 1 through 3 and with Councilman Lee's suggestion regarding tree crown reduction. He noted the need to look at view impairment problems caused by trees throughout the City, particularly in other hillside areas.

Street Tree Administrator Chamness supplied additional input with regard to tree crown reduction. He provided information on the process of properly trimming trees and the costs associated therewith.

The idea of forming a tree assessment district was briefly discussed by the Council.

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Councilman Messerlian commented on the importance of trees and views. He said that he could support Options 1 through 3 and that he could agree with tree crown reduction and lacing. He related his disagreement with further government intrusion in individuals' lives.

Prior to offering the below motion, Councilman Lee stated that, should tree crown reduction not be successful, the Council will revisit this matter in the future.

MOTION: Councilmember Lee moved for the following: to approve Option 1 (Replacement Street Trees), Option 2 (Removal and Replacement on Applicant's Frontage) and 3 (Removal and Replacement on Another Owner's Frontage) as recommended with staff, adding the following conditions:

Add

- o That the City shall reduce the crown of one or two trees in Estrellita Triangle to see if they can be trimmed below the view corridors;
- o That staff shall look at the issue of trees not on the street tree replacement list and located in areas such as Seaside Ranchos where ambiance is created by certain trees; and
- o That, if the tree crown reduction is successful, staff shall report back to the Council with a policy which defines the parameters to be applied, with costs to be borne by residents who benefit.

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

Councilmember Walker clarified that, should the motion be approved, the tree crown reduction in Estrellita Triangle would be done prior to implementing Options 1 through 3.

Street Services Director Garcia suggested that the tree crown reduction be expanded to also include trees in the vicinity of Estrellita Triangle.

The Council agreed that the tree crown reduction as proposed in the motion should be confined to Estrellita Park.

The motion was passed by unanimous roll call vote (absent Councilmember Cribbs).

City Manager Jackson advised that the appropriate resolutions and ordinances will be provided for the Council's consideration in the future.

Should this topic be returned for the Council's consideration in the future, Councilmember Messerlian stated his desire for information on the number of properties situated in the 500 foot radius.

City Manager Jackson verified that an information item with the statistics requested by Councilmember Messerlian will be provided to the Council.

13b. **CORRECTED RESOLUTION RE PERS PRE-TAX RETIREMENT BUY-BACK**

Recommendation

The City Manager recommends that the City Council adopt the corrected resolution implementing the PERS pre-tax retirement buy-back option.

City Clerk Herbers read aloud the title of Resolution No. 97-11.

MOTION: Councilmember Nakano moved for the adoption of Resolution No. 97-11. The motion was seconded by Councilmember Walker and passed by unanimous roll call vote (absent Councilmember Cribbs).

RESOLUTION NO. 97-11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE EXTENDING THE PICK UP OF PUBLIC EMPLOYEE RETIREMENT SYSTEM (PERS) MEMBER CONTRIBUTIONS UNDER INTERNAL REVENUE CODE 414(h)(2) TO ALLOW A PRE-TAX PAYROLL DEDUCTION PLAN FOR SERVICE CREDIT PURCHASES

13c. **RESOLUTION RE INCREASING PERS CONTRIBUTIONS**

Recommendation

The City Manager recommends that the Council adopt the resolution increasing the PERS contribution for employees and retirees medical from \$16 per month to \$51 per month pursuant to the recently-adopted Memoranda of Understanding between the City and the Engineers and the Torrance Fiscal Employees Association (TFEA).

City Clerk Herbers read aloud the title of Resolution No. 97-12.

MOTION: Councilmember Nakano moved for the adoption of Resolution No. 97-12. The motion was seconded by Councilmember Walker and passed by unanimous roll call vote (absent Councilmember Cribbs).

13d. **ESTOPPEL AGREEMENT - ATRIUM OFFICE BUILDING**

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Recommendation

The Land Management Team recommends approval of an estoppel agreement and a new lender as the approved leasehold mortgagee for the Atrium Office Building, 2780 Skypark Drive.

Assistant to the City Manager and Chairman of the Land Management Team Ng introduced this item.

MOTION: Councilmember Walker moved to approve the staff recommendation. The motion was seconded by Councilmember Lee and passed by unanimous roll call vote (absent Councilmember Cribbs).

18. **ADDENDUM MATTERS**

None.

19. **ORAL COMMUNICATIONS**

19a. City Manager Jackson commended the efforts of the Streetscape Team and the Planning Department with regard to the Agenda Item No. 13a (City Street Tree View Impairment - Hillside Overlay District).

The Council expressed its appreciation for the efforts of the Streetscape Team.

Councilmember Lee asked that the Council be notified when the tree crown reduction is completed.

19b. Councilmember Messerlian shared an article from a newspaper in Ontario, Canada in which the City of Torrance was highlighted as a great place to live.

19c. Councilmember Nakano called attention to an upcoming Southern California Association of Governments' (SCAG) "California First" State Legislative Leadership Summit to be held on April 11, 1997. He suggest that a resolution be prepared and that a letter be sent to local representatives encouraging their attendance at the conference.

19d. Councilmember O'Donnell mentioned a recent event honoring Christopher Van Deusen on his achievement of Eagle Scout.

20. **EXECUTIVE SESSION**

Pursuant to Government Code Sections 54955.9(c) (Conference with Legal Counsel - Anticipated Litigation) and 54956.8 (Real Property - Conference with Real Property Negotiator), the Council recessed into a Closed Session at 10:45 P.M. Mayor Hardison announced that the Council would be considering two cases under Conference with Legal Counsel - Anticipated Litigation).

The Council returned to Regular Session in Council Chambers at 11:47 P.M.

21. **ADJOURNMENT**

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At 11:47 P.M., the meeting was adjourned to Tuesday, February 4, 1997, 6:00 P.M., for a hearing on the Appeal of Steven Schultze of the Civil Service Commission decision sustaining his 15-day suspension from the position of Police Officer, to be followed by the regular meeting at 7:00 P.M.