

January 13, 2009

**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 13, 2009 in City Council Chambers at Torrance City Hall.

ROLL CALL

Present: Councilmembers Barnett, Brewer, Furey, Numark, Rhilinger, Sutherland, and Mayor Scotto.

Absent: None.

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

Agenda Item 18 was considered out of order at this time.

18. EXECUTIVE SESSION

The City Council immediately recessed to closed session to confer with the City Manager and City Attorney on agenda matters listed under 18A) Conference with Labor Negotiator and 18B) Real Property – Conference with Real Property Negotiator, pursuant to California Government Code § 54957.6 and 54956.8.

The City Council reconvened at 7:02 p.m. No formal action was taken on any matter considered in closed session.

2. FLAG SALUTE/INVOCATION

The flag salute was led by Councilmember Brewer.

Councilmember Rhilinger gave the non-sectarian invocation.

3. REPORT OF CITY CLERK ON POSTING OF THE AGENDA / MOTION TO WAIVE FURTHER READING

City Clerk Herbers reported that the agenda was posted on the Public Notice Board at 3031 Torrance Boulevard on Thursday, January 8, 2009.

MOTION: Councilmember Brewer 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 Barnett and passed by unanimous roll call vote.

4. **WITHDRAWN, DEFERRED OR SUPPLEMENTAL ITEMS**

Supplemental material available on Agenda Items 8D and 13A.

5. **COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS**

Police Chief Neu reported on a recent incident at Del Amo Fashion Center.

Public Works Director Beste provided an update on the Torrance Boulevard rehabilitation project, with additional information available at 310.781.6900.

City Clerk Herbers announced that the works of Torrance Artist Guild member Karen Yee were on display in the City Clerk's office for the month of January.

Mayor Scotto congratulated the Torrance Rose Float Association on winning the Volunteer Trophy for Torrance's entry in the 2009 Tournament of Roses Parade.

Mayor Scotto thanked Councilman Sutherland for acting as mayor pro tem for the past six months and announced that Councilmember Brewer would be acting as mayor pro tem until June 30, 2009.

Mayor Scotto announced that a new Ethics and Integrity Committee, which will oversee the creation and implementation of the City's ethics and integrity program, will be appointed at the February 24 City Council meeting from individuals on the current commissioner certification list. He directed staff to develop a budget for the committee.

Councilmember Furey asked that the meeting be adjourned in memory of veteran Santa Monica Councilman Herb Katz, who passed away January 7.

Mayor Scotto asked that the meeting be adjourned in memory of Kimberly O'Brien, a twenty-five year Torrance resident and wife of Torrance High School principal John O'Brien, who passed away December 30.

6. **COMMUNITY MATTERS**

6A. **RESOLUTION NO. 2008-130 RE POLICE CAPTAIN MARC WILKINS**

RESOLUTION NO. 2008-130

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING POLICE CAPTAIN **MARC KENNETH WILKINS** UPON HIS RETIREMENT FROM THE CITY AFTER THIRTY-THREE YEARS OF SERVICE

MOTION: Councilmember Brewer moved for the adoption of Resolution No. 2008-130. The motion was seconded by Councilmember Sutherland and passed by unanimous roll call vote.

To be presented at a later date.

6B. RECOGNITION OF TORRANCE HIGH SCHOOL GIRLS GOLF TEAM

Mayor Scotto congratulated the Torrance High School Girls Golf Team for their outstanding achievement at the California Interscholastic Federation (CIF) Championship and presented certificates to the following team members and coaches: Rochelle Chan, Emiliana Chong, Michele Chun, Samantha Martin, Chae Won Park, Jane Rah, Demi Runas, Janelle Sua, John Wurzer, head coach, and Devin Kushi, assistant coach. Jenny Shin and Assistant Coach Kevin Sverduk were not present.

6C. COMMISSION APPOINTMENTS

Recommendation

Recommendation of the City Clerk that City Council review applications and appoint members to fill vacancies on various commissions. The City Clerk will administer the oath of office to commissioners present.

Mayor Scotto thanked all who had submitted applications, noting the large pool of qualified candidates, and encouraged those not appointed this evening to apply again in the future.

Candidates were introduced and given an opportunity to address the Council.

The City Council made the following appointments (all terms expire in January 2013 except as noted):

Airport Commission - Peter Donnellan (term expires January 2011), Karen Fitch, and Paul Jacobsen

Cable Television Advisory Board - Linden Nishinaga and Stuart Sunshine

Civil Service Commission - Tom Doty and Frank Rizzardi

Commission on Aging - Wallace Draper, Leilani Kimmel-Dagaostino, and Lynda Kraemer

Cultural Arts Commission - Ed Candioly and Marianne Strehler

Disaster Council - Kathleen Galbasin

Environmental Quality - Andrea Reilly and Jamie Ruth Watson

Library Commission - Harry Ross, Jim Sheldon, Flo Stapleton, and Michael Wermers (term expires January 2011)

Parks and Recreation - Keri Gilbert, Michael Ning, and Hazel Taniguchi

Planning Commission - Judith Gibson, Ray Uchima

Traffic Commission - David Sargent

Water Commission - Charles Deemer, Alex Meng Tee See, and John McGee (term expires January 2011)

City Clerk Herbers administered the Oath of Office to appointees present at the meeting.

The Council recessed from 8:12 p.m. to 8:25 p.m.

7. ORAL COMMUNICATIONS #1 – None.

8. CONSENT CALENDAR

8A. APPROVAL OF MINUTES

Recommendation

Recommendation of the City Clerk that City Council approve the City Council minutes of October 28 and November 4, 2008.

8B. NOVEMBER 2008 MONTHLY INVESTMENT REPORT

Recommendation

Recommendation of the City Treasurer that City Council accept and file the monthly investment report for the month of November 2008.

8C. AGREEMENT AMENDMENT RE ENVIRONMENTAL IMPACT REPORT FOR 2740 LOMITA BOULEVARD

Considered separately, see below.

8D. APPROVAL OF 2008-2009 GRANT FUNDING FOR NON-PROFIT SOCIAL SERVICE AGENCIES

Recommendation

Recommendation of the Parks and Recreation Commission and the Community Services Director that City Council approve grant funding under the year 2008-2009 Grant Program for Non-Profit Social Services Agencies. Expenditure: \$40,000.

8E. AGREEMENT RE INTELLIGENT TRANSIT SYSTEM PROJECT

Recommendation

Recommendation of the Transit Director that City Council approve a consulting services agreement with Eiger TechSystems for project management and procurement assistance for bus transit computer-aided dispatch radio and vehicle locator system for a term of January 13, 2009 to January 12, 2011.

MOTION: Councilmember Fury moved for the approval of Consent Calendar Items 8A, 8B, 8D and 8E. The motion was seconded by Councilmember Numark and passed by unanimous roll call vote.

Consent Calendar Item 8C was considered separately at this time.

8C. AGREEMENT AMENDMENT RE ENVIRONMENTAL IMPACT REPORT FOR 2740 LOMITA BOULEVARD

Recommendation

Recommendation of the Community Development Director that City Council approve an amendment to the consulting services agreement with Gruen Associates (C2008-051) to extend the term until January 31, 2010, to complete the Environmental Impact Report currently under progress.

In response to Councilmember Numark's inquiry, Planning Manager Lodan provided an update on the progress of the proposed project at 2740 Lomita Boulevard, noting that staff was in the process of preparing the draft Environmental Impact Report.

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

10. PLANNING AND ECONOMIC DEVELOPMENT

10A. GRANT/LOAN AGREEMENT WITH DAILY BREEZE – MEDIA NEWS GROUP

Recommendation

Recommendation of the City Manager that City Council approve an Economic Investment Fund (EIF) grant/loan agreement with The Daily Breeze - Media News Group, Inc. in the amount of \$52,372 to provide economic assistance in order to retain the business within the City of Torrance.

Management Associate Fulton reported that the proposed \$52,372 grant/loan will help offset the cost of the Daily Breeze's relocation from 5215 Torrance Boulevard to 21250 Hawthorne Boulevard and the newspaper will credit the City with an equal amount for advertising space over the next five years.

Mayor Scotto stated that he was pleased that Torrance was able to retain the Daily Breeze because it's beneficial to have a community-based newspaper and it's also important to maintain the City's job base. He noted that the City typically spends more than this amount on advertising.

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

10B. AGREEMENT AMENDMENT RE MAINTENANCE SERVICES FOR ECONOMIC DEVELOPMENT DATABASE

Recommendation

Recommendation of the City Manager, the Information Technology Director, and the Economic Development Team that City Council approve an amendment to the agreement with the Comdyn Group (C2006-017) extending the terms to June 30, 2009 to provide maintenance services for the economic development database. The not to exceed total for the system remains at \$63,838.

Management Associate Fulton advised that staff was requesting a six-month extension of the contract in order to provide maintenance and upgrades to the City's customized economic development database.

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

12. ADMINISTRATIVE MATTERS

12A. MEMORANDUM OF UNDERSTANDING RE SOUTH BAY REGIONAL TRANSIT CENTERS PROJECT

Recommendation

Recommendation of the City Manager and Transit Director that City Council approve a Memorandum of Understanding and concept paper between Redondo Beach and the City of Torrance for the South Bay Regional Transit Centers Project Capital Project.

Transit Director Turner advised that the City of Torrance and the City of Redondo Beach have been working jointly to develop the MOU and the concept paper, which are needed in order to submit a federal grant application.

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

12B. APPROVAL OF TAXICAB FRANCHISE AGREEMENTS

Recommendation

Recommendation of the Finance Director that City Council approve franchise agreements for a term of five years with two additional two-year renewal options at an annual fee of \$35,000 per franchise and \$100 per license taxicab with Bell Cab, South Bay Yellow Cab, United Checker and All Yellow Taxicab.

With the aid of slides, Assistant Finance Director Flewellyn provided background information about the Taxicab Ordinance adopted in 2003, which allowed for taxicab franchise agreements. He reported that the original franchise agreements awarded in 2004 will expire on January 26, 2009 therefore the RFP (Request for Proposal) process commenced in September 2008, with a mandatory pre-proposal meeting held in October 2008. He noted that five taxicab companies submitted proposals, but the proposal from United Taxicab-Southwest was submitted after the deadline so it was rejected. He advised that all taxicabs operating in Torrance will be clean air vehicles (CNG or hybrid) no later than January 26, 2014, with a phased-in implementation schedule, however, certain special purpose vehicles (disabled access/larger passenger volume) would be exempted as no commercial clean air model was available at this time. He reviewed the criteria used to evaluate the proposals and the scoring results, noting that all four recommended companies received high ratings and passed a background check by the Torrance Police Department.

Rudy Svornich, Jr., representing United Taxicab-Southwest, noted that he is a former Los Angeles City Council member and very familiar with the taxicab franchise process and stressed the need for fairness.

Neil Evans, legal counsel for United Taxicab-Southwest, reported that he delivered the proposal on October 6, 2008 and according to his watch, he entered the City Clerk's office at 1:59 p.m., which was one minute before the deadline. He explained that there was no time stamp at the counter so time elapsed before the proposal was stamped with a time of 2:03 p.m. and the company was under the impression that their proposal had been accepted until the staff report was issued last Friday.

Mr. Svornich voiced his opinion that the City Council should review the merits of the proposal before deciding whether or not to reject it, noting that in addition to the Franchise Agreements, agreements for the Dial-A-Taxi Program (12C) and the Senior Taxi Ride Program (12D) are also being considered at this time. He suggested that if the City awarded Franchise Agreements to five companies instead of four, an additional \$1 million in revenue would be generated over the five-year term of the agreements. He urged the Council to continue this item so United Taxicab-Southwest's proposal could be evaluated along with the other proposals before a decision is made.

Mayor Scotto clarified that the Franchise fee is \$36,000 per year so awarding a Franchise Agreement to another company would not generate an additional \$1 million.

William Rouse, representing South Bay Yellow Cab and United Checker Cab, noted that all four of the recommended companies have been servicing the City under the previous Franchise Agreements and they have provided excellent service with no significant complaints. He urged the Council not to award an additional franchise to another taxicab company because the taxi business is already suffering due to the downturn in the economy, noting that the RFP clearly states that only four franchises will be awarded.

Michael Calin, general manager of Bell Cab Company, reported that he saw Mr. Evans submit the United Taxicab-Southwest proposal and it was after the deadline and recalled that City staff emphasized at the pre-proposal meeting that late proposals would be rejected. He pointed out that the proposals of all four of the recommended companies scored very high when evaluated by staff and urged the Council to approve the Franchise Agreements in accordance with staff's recommendation.

Roger Stickney, Torrance, expressed concerns that the City could face litigation due to questions about the timeliness of United Taxicab-Southwest's proposal and could potentially be held liable because there was no time stamp on the City Clerk's counter.

Ali Podih, All Yellow Taxi, reported that he also observed that Mr. Evans submitted United Taxicab-Southwest's proposal after the deadline. He noted that his company has been providing service in Torrance for eight years, including the Dial-A-Ride and Senior Taxi Programs, and has received numerous complimentary letters from residents.

Mr. Svornich reiterated his contention that United Taxicab-Southwest's proposal should be evaluated solely on its merits before deciding whether or not it should be rejected due to tardiness.

Oswaldo Guidos, All Yellow Taxi, stated that he saw Mr. Evans run in with United Taxicab-Southwest's proposal after the deadline and related his belief that it would be unfair to the companies that submitted their proposals on time to ignore this deadline. He urged the Council to award the Franchise Agreements as staff has recommended.

In response to Councilmember Brewer's inquiry, City Clerk Herbers advised that the City Clerk's office does have a time stamp which is calibrated to ensure accuracy and a member of her staff, who is deputized to perform the task, calls out when the deadline to submit a bid or an RFP has passed.

Councilmember Furey stated that the taxi business is a time-sensitive business and he did not believe lateness should be excused. He reported that he has had occasion to file documents in the City Clerk's office and has never had any problem and noted that there has never been any question about the veracity of the City Clerk or her staff. He pointed out that franchise fees for each company are the same so the defining factor is customer service and all four of the recommended companies scored very high.

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

12C. APPROVAL OF DIAL-A-TAXI AGREEMENTS

Recommendation

Recommendation of the Transit Director that City Council approve contract services agreements with Administrative Services Co-Op, d.b.a. South Bay Yellow Cab and United Checker Cab Co-Op, All Yellow Taxi, Inc; and Bell Cab Company to provide service for the Torrance Dial-A-Taxi Program for a term of January 27, 2009 to January 26, 2014.

Transit Administration Manager Mills reported that staff was recommending approval of agreements with the above-mentioned companies for the Dial-A-Taxi Program with the total not to exceed \$350,000 per year. He noted that the program serves disabled residents and provided approximately 20,000 trips last year.

In response to questions from the Council, Transit Administration Manager Mills reported that staff typically receives 1 or 2 complaints a month about taxi service; that the contract provides for a \$1,000 fine if a taxi company receives 5 verifiable complaints in one month; and that this fine has been imposed only once, early on in the program.

Councilmember Barnett voiced support for the program and commended staff for their efforts.

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

12D. APPROVAL OF SENIOR TAXI PROGRAM AGREEMENTS

Recommendation

Recommendation of the Transit Director that City Council approve contract services agreements with Administrative Services Co-Op, d.b.a. South Bay Yellow Cab and United Checker Cab Co-Op, All Yellow Taxi, Inc; and Bell Cab Company to provide service for the Torrance Senior Taxi Program for a term of January 27, 2009 to January 26, 2014.

Transit Administration Manager Mills reported that staff was recommending approval of agreements with the above-mentioned companies for the Senior Taxi Program with the total not to exceed \$750,000 per year. He noted that the program provided approximately 40,000 trips last year for senior residents.

Mayor Scotto expressed the hope that the City could increase the number of taxi ride tickets a senior is allotted at some point in the future when the economy improves.

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

12E. RESOLUTIONS RE TORRANCE PROFESSIONAL & SUPERVISORY ASSOCIATION, ENGINEERS, AND TORRANCE FISCAL EMPLOYEES ASSOCIATION

Recommendation

Recommendation of the City Manager that City Council adopt Resolutions pursuant to Memoranda of Understanding amending the resolutions setting forth hours, wages, and working conditions for employees represented by the Torrance Professional and Supervisory Association (TPSA Resolution No. 2007-56), Engineers (Resolution No. 2007-39), and Torrance Fiscal Employees Association (TFEA Resolution No. 2007-38).

Assistant to the City Manager Chaparyan advised that the proposed resolutions adjust wage increases in order to increase PARS (Public Agency Retirement System) contributions.

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

RESOLUTION NO. 2009-01

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING RESOLUTION NO. 2007-56 SETTING FORTH CHANGES REGARDING HOURS, WAGES, AND WORKING CONDITIONS FOR EMPLOYEES REPRESENTED BY THE TORRANCE PROFESSIONAL AND SUPERVISORY ASSOCIATION (TPSA)

MOTION: Councilmember Brewer moved for the adoption of Resolution No. 2009-01. The motion was seconded by Councilmember Sutherland and passed by unanimous roll call vote.

RESOLUTION NO. 2009-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING RESOLUTION NO. 2007-39 SETTING FORTH CHANGES REGARDING HOURS, WAGES, AND WORKING CONDITIONS FOR EMPLOYEES REPRESENTED BY THE ENGINEERS

MOTION: Councilmember Brewer moved for the adoption of Resolution No. 2009-02. The motion was seconded by Councilmember Sutherland and passed by unanimous roll call vote.

RESOLUTION NO. 2009-03

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING RESOLUTION NO. 2007-38 SETTING FORTH CHANGES REGARDING HOURS, WAGES, AND WORKING CONDITIONS FOR EMPLOYEES REPRESENTED BY THE TORRANCE FISCAL EMPLOYEES ASSOCIATION (TFEA)

MOTION: Councilmember Brewer moved for the adoption of Resolution No. 2009-03. The motion was seconded by Councilmember Sutherland and passed by unanimous roll call vote.

12F. APPROVAL OF GRANT APPLICATION RE COLD CASE INVESTIGATIONS

Recommendation

Recommendation of the Chief of Police that City Council adopt a Resolution approving application for US Department of Justice (DOJ) grant funds to increase Police capacity for cold case investigations.

Detective Division Commander Steve Unglaub reported that the grant would enhance the Police Department's ability to investigate unsolved criminal cases, thereby providing closure for victims' families.

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

RESOLUTION NO. 2009-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE APPROVING THE CITY'S APPLICATION FOR GRANT FUNDS FROM THE U.S. DEPARTMENT OF JUSTICE TO ENHANCE COLD CASE INVESTIGATIONS

MOTION: Councilmember Brewer moved for the adoption of Resolution No. 2009-04. The motion was seconded by Councilmember Sutherland and passed by unanimous roll call vote.

The City Council recessed from 9:51 p.m. to 10:11 p.m.

13. HEARINGS

13A. EAS08-00003, CUP08-00015, DIV08-00006, DVP08-00002, WAV08-00005: 3720 & 3744 PACIFIC COAST HIGHWAY – CBB ARCHITECTS

Recommendation

Recommendation of the Community Development Director and the Planning Commission that City Council deny the appeal and take the following action on property located at 3720 & 3744 Pacific Coast Highway, and APN 7534-001-901:

- 1) Adopt a Negative Declaration and;
- 2) Adopt Resolutions approving a Conditional Use Permit; a Division of Lot; a Development Permit; and a Waiver.

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

With the aid of slides, Planning Manager Lodan briefly described the proposed project, which would merge three lots into one to allow the construction of a new commercial center comprised of retail uses, restaurants and professional offices. He noted that the project includes street dedications for highway improvements and circulation enhancements, including a new right-turn lane on Hawthorne Boulevard at Pacific Coast Highway. He reported that the Commission initially considered the project on August 20, 2008, after which the project was downsized and the parking was reconfigured, and the revised project was subsequently approved at the November 19, 2008 Planning Commission meeting.

Mike Hassani, Ocean View Development, Inc., co-owner/developer of the project, provided background information about the project, noting that he and his partner have owned the property since November 2007 and they have been working since that time with City staff and the surrounding community to come up with an acceptable project.

Raju Chhabria, co-owner/developer of the project, reported that most of the concerns about the project are related to existing traffic and parking problems in the area over which he has no control.

Charles Belak-Berger, CBB Architects, project architect, reviewed the changes made to the project after the initial Planning Commission hearing to make it more compatible with the adjacent residential neighborhood.

Larry Mikelson, 24233 Park Street, appellant, expressed concerns that the proposed project would exacerbate existing traffic and parking problems on his street. He noted that anybody leaving the new commercial center who wants to go south, as well as those who approach the center from the south or east, will likely cut through his residential neighborhood. He related his understanding that the project is expected to generate an additional 600 vehicle trips per day and questioned why no studies were done to determine the impact on the adjacent residential area. He stated that he was not opposed to the project but was simply requesting that the City work with residents to alleviate the potential impact. He proposed the following possible solutions: 1) making Park Street a cul-de-sac; 2) re-striping Park Street to provide angled parking on one side of the street; and 3) installing speed bumps on Park Street. He noted that he took these suggestions to the Traffic Commission but was told that they could not speculate about the impact of the project and nothing could be done until it was completed.

Mayor Scotto noted that changing a street into a cul-de-sac is a lengthy process, which requires a thorough analysis and public hearings.

In response to Mayor Scotto's inquiry, Transportation Planning Manager Semaan confirmed that traffic counts of Park Street and 242nd Street have been taken to establish a baseline for comparison after the project has been completed. He reported that staff looked into re-striping Park Street to provide angled parking and it would result in 13 additional parking spaces and cost between \$5,000-7,000.

Councilmember Sutherland asked about the impact on Park Street when the Pumpkin Patch and Christmas tree lot were operating on the subject lot, and Mr. Mikelson reported that the neighborhood was inundated with traffic but neighbors found it more tolerable because it was only seasonal.

Sharon Harrison, 24246 Park Street, echoed concerns about existing traffic and parking problems on Park Street, noting that the majority of homes on this block have no driveways so there is a great demand for parking.

Pat Figueroa, 24255 Park Street, expressed concerns that the proposed project will be taking away 42% of the existing parking on 242nd Street and questioned why a portion of a public street was being given to the developer for parking. She contended the City has an obligation to help solve the parking problem on Park Street because they allowed homes to be built without driveways.

Mira Martyn, 24234 Park Street, suggested that it was only logical to expect that the new commercial center would affect the adjacent neighborhood and urged that more studies be done before the project is approved.

Susan Kimberly, 24228 Park Street, voiced her opinion that the proposed project would adversely impact her property value and make problems that are now seasonal, year-round.

Mayor Scotto noted that the subject lot is currently one of the most blighted areas in Torrance and questioned how an attractive commercial center would reduce property values on Park Street. Ms. Kimberly responded that she believed the additional traffic generated by the center would cause a reduction in the value of her property.

Roger Stickney, Torrance, reported that Madison Street is commonly used as a shortcut by people going to and from the Palos Verdes Peninsula to avoid the Pacific Coast Highway/Hawthorne Boulevard intersection and expressed concerns that people will do the same thing to access this center thereby increasing traffic on Park Street. He voiced his opinion that the best way to control traffic was to limit the types of uses that can go into the center, i.e. prohibiting high-volume restaurants and emergency clinics. He also suggested that allowing U-turns at the intersection for westbound traffic could help alleviate the problem.

Mayor Scotto questioned whether the developer could be required to pay for the re-striping of Park Street to provide angled parking. Deputy City Attorney Sullivan advised that it could be made a requirement if the Council determines that the need to provide angled parking was related to the project.

Mayor Scotto indicated that he favored restoring the parking that was eliminated when the project was revised because he felt it was best to provide as much parking as possible. He questioned whether the developer could be required to pay for the re-striping of Park Street to provide angled parking.

Deputy City Attorney Sullivan advised that it could be made a requirement if the Council determines that the need to provide angled parking was related to the project.

Returning to the podium, Mr. Hassani noted that a considerable amount of money has already been invested in the project and, in addition, the developers are required to pay for several improvements, including the relocation of power poles so a right-turn lane can be added to the intersection. With regard to traffic issue, he pointed out that Caltrans concluded that the project would have “no significant undesirable traffic impact” as evidenced by a letter in the agenda item, which is the same conclusion reached by City staff.

Mr. Chhabria reported that the developers will have to pay approximately \$1 million to relocate power poles and storm drains. He noted that no tenants have committed to the project, as Baskin-Robbins and Coffee Bean have indicated that they are no longer interested in leasing space in the center, and expressed the hope that the economy will improve by the time the project is completed. He reiterated his position that most of nearby residents’ concerns are related to existing traffic and parking problems and suggested that people who buy homes near commercial property should expect to have more traffic than a strictly residential neighborhood. He explained that seven parking spaces were eliminated at the request of nearby residents who wanted more landscaping, however, he had no objection to replacing them.

Mr. Belak-Berger noted that the project is already restricted, with regard to the types of uses, because the portion of the square footage to be allocated to retail, office and restaurant space is specified and fast-food and drive-through restaurants are prohibited.

Responding to Ms. Figueroa’s claim that the City was giving land to the developer, Assistant to the City Manager Sunshine explained that no City property will be given to the developer, but rather there will be a trading of land, which will allow the City to add a right-turn lane on Hawthorne Boulevard in exchange for an aisle of parking on 242nd Street.

In response to Councilmember Numark’s inquiry, Planning Manager Lodan advised there is no condition that specifically prohibits fast-food restaurants, however, any restaurant would require approval of a Conditional Use Permit and high-volume restaurants, such as a hamburger chain, are not envisioned for this site.

Councilmember Numark asked about Mr. Mikelson’s claim that no assessment was done regarding the traffic impact on Park Street.

Transportation Planning Manager Semaan advised that staff evaluated the traffic impact of project and determined that it would result in no significant changes to existing traffic patterns, noting that there is currently a fast-food restaurant on the site that operates 24 hours a day.

In response to Councilmember Numark’s inquiry, Transportation Planning Manager Semaan confirmed that staff was looking into the impact of bus commuters on parking in this area. He reported that a license plate survey has been conducted on Park Street, Ward Street and 242nd Street to determine how many people parking there are from out of the area and in addition, staff has had conversations with the MTA to see what can be done to address this issue.

Councilmember Brewer asked about the feasibility of allowing U-turns westbound on Pacific Coast Highway at Hawthorne Boulevard in order to discourage patrons of the new center from using Madison and Park Street.

Transportation Planning Manager Semaan advised that staff will explore this possibility once the new right-turn lane has been constructed.

MOTION: Councilmember Barnett moved to close the public hearing. The motion was seconded by Councilmember Rhilinger and passed by unanimous roll call vote.

Councilmember Furey voiced support for the project, relating his belief that it was an attractive, viable development that would greatly improve this now blighted corner. He stated that it was speculative at this point as to the project's impact; expressed confidence that staff could deal with any problems that develop; and suggested that it would be unfair to expect this developer to remediate existing problems. He stated that he thought Mr. Mikelson had offered some good suggestions regarding potential solutions, however, major changes like making the street a cul-de-sac, require consensus building because there are likely many who would oppose such changes. He indicated that he was inclined to favor retaining the landscaping along 242nd Street instead of adding more parking because it makes the project more attractive when viewed from Park Street and once this green space is paved, it's gone forever.

Councilmember Sutherland also voiced support for the project. Noting that the carwash on this site has been vacant for 30 years, he stated that he believes the project's benefits outweigh the loss of a few parking spaces on 242nd Street. He commented on unintended consequences when traffic circulation is altered, pointing out that the City had to remove barriers in the Newton Street area when faced with overwhelming opposition shortly after they were installed.

Councilmember Rhilinger concurred with her colleagues' remarks, noting that the project will have the added benefit of improving traffic circulation at this intersection due to the new right-turn lane. She encouraged staff to continue to work with residents in this area to try to mitigate existing traffic/parking problems as much as possible.

Mayor Scotto noted that the seven additional parking spaces on 242nd Street could prove to be valuable if the center is very successful and he felt the project would still be aesthetically pleasing without the extra landscaping.

Councilmember Brewer indicated that he favored retaining the landscaped area because it was added at the request of residents on Park Street, noting that it could always be replaced with parking in the future if it becomes necessary.

MOTION: Councilmember Barnett moved to deny the appeal and approve the project. The motion was seconded by Councilmember Brewer and passed by unanimous roll call vote.

RESOLUTION NO. 2009-05

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE APPROVING A CONDITIONAL USE PERMIT AS PROVIDED FOR IN DIVISION 9, CHAPTER 5, ARTICLE 1 OF THE TORRANCE MUNICIPAL CODE TO ALLOW THE CONSTRUCTION AND OPERATION OF A COMMERCIAL CENTER ON PROPERTIES LOCATED IN THE HBCSP-PCH ZONE AT 3720 AND 3744 PACIFIC COAST HIGHWAY, AND APN 7534-001-901. **CUP08-00015: CBB ARCHITECTS (RAJU CHHABRIA)**

MOTION: Councilmember Brewer moved for the adoption of Resolution No. 2009-05. The motion was seconded by Councilmember Sutherland and passed by unanimous roll call vote.

RESOLUTION NO. 2009-06

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE APPROVING A DIVISION OF LOT AS PROVIDED FOR IN DIVISION 9, CHAPTER 2, ARTICLE 29 OF THE TORRANCE MUNICIPAL CODE TO MERGE THREE PARCELS INTO ONE ON PROPERTIES LOCATED IN THE HBCSP-PCH ZONE AT 3720 AND 3744 PACIFIC COAST HIGHWAY, AND APN 7534-001-901. **DIV08-00006: CBB ARCHITECTS (RAJU CHHABRIA)**

MOTION: Councilmember Brewer moved for the adoption of Resolution No. 2009-06. The motion was seconded by Councilmember Sutherland and passed by unanimous roll call vote.

RESOLUTION NO. 2009-07

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE APPROVING A DEVELOPMENT PERMIT AS PROVIDED FOR IN DIVISION 9, CHAPTER 1, ARTICLE 45 OF THE TORRANCE MUNICIPAL CODE TO ALLOW THE CONSTRUCTION AND OPERATION OF A COMMERCIAL CENTER ON PROPERTIES LOCATED IN THE HBCSP-PCH ZONE AT 3720 AND 3744 PACIFIC COAST HIGHWAY, AND APN 7534-001-901. **DVP08-00002: CBB ARCHITECTS (RAJU CHHABRIA)**

MOTION: Councilmember Brewer moved for the adoption of Resolution No. 2009-07. The motion was seconded by Councilmember Sutherland and passed by unanimous roll call vote.

RESOLUTION NO. 2009-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE APPROVING A WAIVER AS PROVIDED FOR IN DIVISION 9, CHAPTER 4, ARTICLE 2, OF THE TORRANCE MUNICIPAL CODE TO ALLOW LESS THAN THE MINIMUM BUILDING SETBACK REQUIREMENTS ON PROPERTIES LOCATED IN THE HBCSP-PCH ZONE AT 3720 AND 3744 PACIFIC COAST HIGHWAY, AND APN 7534-001-901. **WAV08-00005: CBB ARCHITECTS (RAJU CHHABRIA)**

MOTION: Councilmember Brewer moved for the adoption of Resolution No. 2009-08. The motion was seconded by Councilmember Sutherland and passed by unanimous roll call vote.

The City Council met as the Redevelopment Agency from 12:01 a.m. to 12:03 a.m.

17. ORAL COMMUNICATIONS #2

17A. Councilmember Numark thanked commission applicants and encouraged them to continue to volunteer.

17B. Councilmember Numark reported that he met with a company that provides retail site selection services at the National League of Cities Conference in November; that he asked staff to explore how this might fit into strategic planning efforts since sales tax revenues have fallen after peaking in 2004; and that the company subsequently presented a proposal and staff was in the process of exploring the feasibility of using the company's services.

17C. Councilmember Numark noted that he had been appointed to the League of California Cities Administrative Services Committee.

17D. Councilmember Sutherland announced that the United States Air Force Band of the Golden West will be performing at the Armstrong Theatre on Wednesday, February 18, at 7:30 p.m., noting that tickets are free, with information available by calling the box office at 310.781.7171.

17E. Councilmember Brewer reported that he recently joined members of the Independent Cities Association in Sacramento to lobby members of the legislature on the current budget matters, including the protection of funding for local government.

17F. Councilmember Furey commented on the large pool of qualified candidates for commission appointments and encouraged those not selected to apply again.

17G. Councilmember Furey invited residents to apply for a seat on the Torrance Unified School District Bond Oversight Committee, with information available at TUSD offices on Plaza Del Amo, on TUSD's website or by calling 310.972.6500.

18. EXECUTIVE SESSION - Considered earlier in the meeting, see page 1.

19. ADJOURNMENT

At 12:08 a.m., the meeting was adjourned to Tuesday, January 27, 2009 at 5:30 p.m. for an executive session, with the regular meeting commencing at 7:00 p.m. in the Council Chambers.

***Adjourned in Memory of
Herb Katz and Kimberly O'Brien***

Attest:

/s/ Frank Scotto
Mayor of the City of Torrance

/s/ Sue Herbers
Sue Herbers,
City Clerk of the City of Torrance

Approved on March 3, 2009

Sue Sweet
Recording Secretary

City Council
January 13, 2009