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TORRANCE CITY COUNCIL – MARCH 15, 2016

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At 10:58 p.m., the meeting was adjourned to Tuesday, March 22, 2016 at 5:30 p.m. for an executive session, with the regular meeting commencing at 7:00 p.m. in the Council Chamber.

Sue Sweet
Recording Secretary

City Council
March 15, 2016

March 15, 2016

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, March 15, 2016 in the Council Chamber at Torrance City Hall.

ROLL CALL

Present: Councilmembers Ashcraft, Barnett, Goodrich, Griffiths, Rizzo, Weideman and Mayor Furey.

Absent: None.

Present: City Manager Jackson, Assistant City Manager Giordano, City Attorney Fellows, City Clerk Poirier 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 the City Attorney on agenda matters listed under 18A) Conference with Labor Negotiator, and Item 18B) Real Property – Conference with Real Property Negotiator, pursuant to California Government Code §54957.6 and §54956.8.

The City Council reconvened at 7:00 p.m. with all members present. No formal action was taken on any matter considered in closed session.

2. FLAG SALUTE/ INVOCATION

The flag salute was led by Councilmember Goodrich.

The non-sectarian invocation was given by Councilmember Griffiths.

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

City Clerk Poirier reported that the agenda was posted on the Public Notice Board at 3031 Torrance Boulevard on Thursday, March 10, 2016.

MOTION: Councilmember Rizzo 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 Weideman and passed by unanimous vote.

4. WITHDRAWN, DEFERRED OR SUPPLEMENTAL ITEMS

No items were deferred or withdrawn; supplemental material was available for Items 10A, 10B and 13A (2).

5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS

Councilmember Barnett announced that the City Council meeting will adjourn in memory of former City employee Herbert Bonnet.

Councilmember Ashcraft announced that the next Commission Certification class will take place on Tuesday, March 29, 2016 from 6:00-8:00 p.m. in the Toyota Meeting Hall and registration is required by March 23, 2016 at www.torranceca.gov/commissionercert.htm or by calling the City Manager's Office at 310-618-5880.

Councilmember Griffiths announced that the Ad Hoc Web Redesign Committee met on Tuesday, March 15, 2016 to discuss the Web Redesign Team's recommendation for vendor selection to redesign and host city's website and the Committee concurred with the Web Redesign Team's recommendation, which will be presented to the full City Council on April 5, 2016.

Councilmember Griffiths announced that the Community Planning and Design Committee will meet on Thursday, March 24, 2016 from 7:00-9:00 p.m. in the City Council Chamber to discuss the impairment of views by vegetation in the Hillside Overlay District, with additional information available by contacting the Community Development Department at 310-618-5990.

Councilmember Barnett announced that the Finance and Governmental Operations Committee will meet on Tuesday, March 22, 2016 from 5:00-6:00 p.m. in the City Council Chamber to discuss the 2nd Quarter 2015-16 Budget Review.

Councilmember Rizzo announced that the Office of Economic Development is accepting applications for the 9th Annual Torrance Advantage Awards which will take place on March 31, 2016. He noted that applications are due on March 18, 2016 and additional information is available at www.torranceca.gov/taa, by emailing economicdevelopment@torranceca.gov, or by calling 310-618-2750.

Mayor Furey, with concurrence of Council, requested that staff return with an item to subsidize the fees for the use of the Toyota Meeting Hall by the Army Reserve Officers Training Corps for a Commissioning Ceremony on Saturday, May 14, 2016 from 2:00-6:00 p.m.

Mayor Furey, with concurrence of Council, requested that staff explore the feasibility of, and requirements for, erecting a digital sign adjacent to the 405 freeway, as well as the possibility of allowing similar signage at certain commercial locations such as Del Amo Fashion Center and Del Amo Crossing, for purposes of advertising local businesses.

Mayor Furey announced that he's been invited to represent the City of Torrance at the 65th National Session of the Mayors Institute of City Design in Oklahoma City, Oklahoma on May 18 – 20, 2016, with all expenses to be paid by the institute.

7. ORAL COMMUNICATIONS #1

The following 5 people spoke: Mark Stephenson, Bob Habel, Annay Picazo, Andrew Healy, and Janet Payne.

8. CONSENT CALENDAR

8A. APPROVAL OF DATES FOR BUDGET WORKSHOPS/PUBLIC HEARINGS

Recommendation of the Finance Director and the City Manager that City Council approve May 10, 2016 and May 17, 2016 as the dates to conduct two budget workshops/public hearings on the 2nd year of the City's two-year 2015-17 Operating Budget and the City's five-year 2016-2021 Capital Budget, if needed, approve the budget adoption date of May 24, 2016.

8B. FEE AGREEMENT RE LEGAL SERVICES

Recommendation of the City Attorney that City Council approve a fee agreement with Liebert Cassidy Whitmore of Los Angeles, CA to provide legal services pertaining to the Appeal to City Council of personnel matter #A14-012436, in the amount of $15,000.

8C. APPROPRIATION/ALLOCATION OF ASSET FORFEITURE FUNDS

Recommendation of the Police Chief that City Council appropriate and allocate an amount not to exceed $75,000 of asset forfeiture funds to the Miscellaneous Projects account (FEAP 383) to replenish the account.

8D. JANUARY 2016 MONTHLY INVESTMENT REPORT

Considered separately, see below.

MOTION: Councilmember Ashcraft moved for the approval of Consent Calendar Items 8A, 8B and 8C. The motion was seconded by Councilmember Goodrich and passed by unanimous vote.

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

8D. JANUARY 2016 MONTHLY INVESTMENT REPORT

Recommendation of the City Treasurer that City Council accept and file the monthly investment report for January 2016.

Mark Stephenson commented on the investment report.

MOTION: Councilmember Ashcraft moved to accept and file the report. The motion was seconded by Councilmember Goodrich and passed by unanimous vote.

10. PLANNING AND ECONOMIC DEVELOPMENT

10A. CONSIDERATION OF GARAGE SALE REGULATIONS AND PERMITTING PROCEDURES

Recommendation of the Community Development Director that City Council review the draft permit process and recommend the process become part of a garage sale ordinance.

With the aid of slides, Sr. Planning Associate Santana briefly reviewed proposed guidelines for regulating garage sales and the creation of a permit process. He noted that staff was recommending that no fee be charged for the permit to encourage compliance.

Responding to questions from the Council, Sr. Planning Associate Santana reported that four complaints have been received about garage sales over the past two years and enforcement efforts are hampered because the City has no regulations that specifically address garage sales therefore staff must rely on the Torrance Municipal Code section that does not allow home businesses which involve customers visiting a residence.

Councilmember Griffiths expressed support for establishing an easy, low or no cost permit process for regulating garage sales, which would allow residents to hold garage sales, while providing enforcement tools for those cases where someone is effectively running a business out of their home to the detriment of neighbors.

Councilmember Rizzo also expressed support for regulating garage sales in order to provide staff with the necessary tools to control abuses. He proposed allowing four garage sales per year instead of two per year as recommended by staff.

Councilmember Ashcraft reported that she has received no complaints about garage sales, but would support a no-cost permit process.

Councilmember Goodrich stated that he supports establishing regulations to help staff curb abuses, but was opposed to spending any additional money on enforcement at this time due to the lack of complaints from the community at large.

Mayor Furey invited public comment.

Arthur Plourde contended that the Council was restricting the rights and freedom of residents in violation of the U.S. Constitution and noted his intention to launch recall campaigns.

Mark Stephenson voiced his opinion that the costs far outweigh the benefits of the proposed regulations since there are so few complaints.

Councilmember Weideman asked if staff would be able to make a case that someone was running a business out of their residence if they hold 12 garage sales a year and take enforcement action under existing regulations.

City Attorney Fellows responded that staff could make that argument, but that does not mean the court would accept it.

MOTION: Councilmember Rizzo moved to concur with the staff recommendation that a garage sale ordinance be drafted establishing a no-cost permit process, to include an application process that can be completed via the City's website or on a walk-in basis, and increasing the allowable number of garage sales from two to four per year. The motion was seconded by Councilmember Griffiths and passed by a 6-1 vote, with Councilmember Weideman voting no.

10B. URGENCY ORDINANCE ESTABLISHING PLANNING COMMISSION REVIEW PROCESS FOR HISTORIC STRUCTURES IN THE ORIGINAL TORRANCE TRACT

Recommendation of the Community Development Director:

1) Adopt an urgency ordinance adding a new Article 49 of Chapter 1 of Division 9 to the Torrance Municipal Code establishing a Planning Commission Review process for requests for alterations and demolition of contributing and altered contributing

residential structures identified in the Historic Resources Survey and located on properties zoned residential within the Original Torrance Tract area;

2) Approve an Urgency Ordinance Summary for publication;
3) Adopt an ordinance adding a new Article 49 of Chapter 1 of Division 9 to the Torrance Municipal Code establishing a Planning Commission Review process for requests for alterations and demolition of contributing and altered contributing residential structures identified in the Historic Resources Survey and located on properties zoned residential within the Original Torrance Tract area;
4) Approve an Ordinance Summary for publication; and
5) Adopt a finding that amending the Municipal Code adding a new Article 49 of Chapter 1 of Division 9 to the Torrance Municipal Code establishing a Planning Commission Review process for requests for alterations and demolition of contributing and altered contributing residential structures identified in the Historic Resources Survey and located on properties zoned residential within the Original Torrance Tract area would not have a significant impact on the environment and pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) guidelines would be exempt from CEQA.

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

Planning Manager Lodan provided an overview of the proposed Planning Commission Review process, which would allow construction projects involving contributed and altered contributing structures in the Original Torrance Tract area to go forward if certain criteria are met. He noted that the ordinances have a sunset date of March 14, 2017 to allow time for the City to draft a historic preservation plan.

The City Council recessed from 8:06 p.m. to 8:14 p.m.

Mayor Furey announced that he was recusing himself from this hearing because he was contemplating purchasing property in the subject area. He exited the dais and Mayor Pro Tem Griffiths took over as chair of the proceedings.

Mayor Pro Tem Griffiths invited public comment.

Naomi Castro voiced objections to the proposed ordinance because she does not want to be dictated to when making improvements to her home and due to the financial burden it would impose. She explained that her 100-year old home needs to be upgraded, including the replacement of windows, and being required to replace them with historically accurate windows would make the project cost prohibitive.

Gary Maxwell requested clarification regarding the Planning Commission Review process and the structures subject to the ordinance, which was provided by staff.

Arthur Plourde urged that historic structures in old Torrance be preserved for the benefit of future generations.

James Grove voiced objections to imposing new restrictions on construction in this area.

Irene Alvarez related her belief that the proposed ordinance was unfair and discriminatory because restrictions apply to contributing and altered contributing structures within the Torrance Tract area only, while others may do what they please with their properties.

Lisa Gonzales urged the Council to reject the proposed ordinance because it subjects her and other affected property owners to restrictions that no one else in the City is subject to and requires them to pay an additional $2400 fee for the Planning Commission Review process. She expressed concerns about the financial loss property owners will suffer if they cannot develop their properties to their full potential.

Councilmember Weideman noted that this is not the only area in Torrance where construction projects are subject to the Planning Commission Review process.

Chad Madrid reported that he bought a dilapidated R-2 zoned property within the Torrance Tract six months ago with plans to redevelop it and expressed concerns that the proposed restrictions will make it impossible for him to do so and discourage other young families from locating in this area.

Planning Manager Lodan clarified that properties can still be redeveloped in the Torrance Tract, however, the project must undergo Planning Commission Review if a contributing or altered contributing structure is involved.

Raul Ramirez voiced objections to the proposed ordinance because it would restrict his property rights and expressed concerns about the additional fees.

Theresa Chappell expressed her opposition to the proposed ordinance, which would impose restrictions on her property that were not there when she purchased it. She questioned the fairness of limiting her ability to improve her home when other neighbors have been allowed to enlarge and change the look of their homes without the same restrictions. She voiced objections to the City's spending $300,000 a year for a historic preservation program, which she and other neighbors clearly do not support.

Marie Taylor reported that she recently purchased a property in the Torrance Tract area knowing that the creation of a historic preservation overlay zone was being considered and she believes maintaining the historic character of the area will only increase property values.

Dianne Cota expressed concerns that imposing new restrictions will discourage young families from moving into old Torrance and revitalizing the area. She related her experience that older homes can have so many problems that they're not worth saving and suggested that property owners who want to fix up these houses should be rewarded rather than penalized with additional fees. She called for a more individualized approach to historic preservation rather than creating an overlay zone.

James Stoneberg stated that he was strongly opposed to the new restrictions and believes they are unnecessary.

Mark Stephenson voiced concerns that the added expense of the Planning Commission Review process would be onerous for property owners since there are many existing fees associated with a construction project. He proposed that the City establish four or five acceptable architectural profiles from which builders could choose instead of going through the PCR process.

Jayson Weir expressed concerns about the impact new restrictions would have on plans to enlarge the 800 square-foot home he recently purchased to accommodate his family, contending that the ordinance was in effect creating a historic preservation overlay zone.

Gene Higginbotham stated that there is widespread support for historic preservation in old Torrance, citing the hundreds of people who volunteered to assist with the Historic Resources Survey. He urged adoption of the ordinance to ensure that the character of the area is maintained while a historic preservation plan is being drafted and called for the public to be involved in the drafting process. He recommended that consideration be given to reducing the fee for the Planning Commission Review process.

Janet Payne encouraged residents to review the architectural guidelines handbook prepared by staff to assist those designing projects in the old Torrance area and to review the Historic Resources Survey. She recommended that fees for the Planning Commission Review process be reduced and that exemptions be considered for property owners who have plans in the works.

Arthur Schaper expressed concerns that the City is imposing more and more restrictions on what people can do with their properties.

Maria Bowman urged that any historic preservation program be voluntary.

MOTION: Councilmember Rizzo moved to close the public hearing. The motion was seconded by Councilmember Goodrich and passed by unanimous vote (absent Mayor Furey).

Councilmember Ashcraft reported that she would only support the ordinance if it applies to people who purchase property from this point forward because she believes it's an infringement on property rights to impose these restrictions on existing property owners, who purchased their properties with the expectation of being able to develop it without having to go through a discretionary review process.

Councilmember Goodrich voiced support for the proposed ordinance, but indicated that he favored reducing the fees for the Planning Commission Review (PCR).

Community Development Director Gibson advised that staff was open to doing so, but noted that the fees simply offset the cost of the review.

Councilmember Rizzo emphasized that this is a temporary measure, which establishes guidelines to ensure that projects maintain the quality and character of the neighborhood until a historic preservation program is put in place.

Councilmember Ashcraft wanted to clarify that she supports historic preservation, but believes burdening existing property owners with these restrictions would be unfair.

Mayor Pro Tem Griffiths explained that creating a Planning Commission Review process was a compromise since the Council initially enacted a moratorium but decided it was too restrictive. He related his belief that it was important to allow time for the City to complete the exploration process taking into account the interests of all property owners in the Torrance Tract area, while preserving existing historic structures in the interim. He indicated that he also felt the PCR fees as proposed could be burdensome.

City Manager Jackson suggested that the PCR fees could be reduced to cover the notification cost only, which is approximately $350.00.

MOTION: Councilmember Weideman moved to concur with the staff recommendation, modifying Planning Commission Review fees to cover the notification cost only. The motion was seconded by Councilmember Goodrich and passed by a 5-1 vote, with Councilmember Ashcraft voting no (absent Mayor Furey).

URGENCY ORDINANCE NO. 3798

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE ADDING A NEW ARTICLE 49 OF CHAPTER 1 OF DIVISION 9 TO THE TORRANCE MUNICIPAL CODE ESTABLISHING A PLANNING COMMISSION REVIEW PROCESS FOR REQUESTS FOR ALTERATIONS AND DEMOLITION OF CONTRIBUTING AND ALTERED CONTRIBUTING RESIDENTIAL STRUCTURES IDENTIFIED IN THE HISTORIC RESOURCES SURVEY AND LOCATED ON PROPERTIES ZONED RESIDENTIAL WITHIN THE ORIGINAL TORRANCE TRACT AREA

MOTION: Councilmember Rizzo moved to adopt Urgency Ordinance No. 3798 as amended. The motion was seconded by Councilmember Barnett and passed by a 5-1 vote, with Councilmember Ashcraft voting no (absent Mayor Furey).

ORDINANCE NO. 3799

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE ADDING A NEW ARTICLE 49 OF CHAPTER 1 OF DIVISION 9 TO THE TORRANCE MUNICIPAL CODE ESTABLISHING A PLANNING COMMISSION REVIEW PROCESS FOR REQUESTS FOR ALTERATIONS AND DEMOLITION OF CONTRIBUTING AND ALTERED CONTRIBUTING RESIDENTIAL STRUCTURES IDENTIFIED IN THE HISTORIC RESOURCES SURVEY AND LOCATED ON PROPERTIES ZONED RESIDENTIAL WITHIN THE ORIGINAL TORRANCE TRACT AREA

MOTION: Councilmember Rizzo moved to adopt Ordinance No. 3799 as amended. The motion was seconded by Councilmember Barnett and passed by a 5-1 vote, with Councilmember Ashcraft voting no (absent Mayor Furey).

The City Council recessed at 9:32 p.m. and reconvened at 9:42 p.m. with all members present.

12. ADMINISTRATIVE MATTERS

12A. SETTING OF HEARING DATE FOR EMPLOYEE TERMINATION APPEAL HEARING

Recommendation of the City Manager that City Council set a hearing date of Tuesday, April 12, 2016 to conduct the hearing on the appeal of the Civil Service Commission decision sustaining the termination of a Police Officer.

Acting Human Resources Analyst King reviewed the staff recommendation.

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

12B. 2015 QUARTER 4 UPDATE TO THE 2008 STRATEGIC PLAN

Recommendation of the City Council Strategic Plan Committee that City Council concur with the following Committee recommendations:

1) Approve he modification of KPI #34 and #131;
2) Approve the designation of 14 KPIs as Operational Performance Measures;
3) Direct staff to develop new 3 Year Action Plan funding; and
4) Approve changing the update of the Strategic Plan from semi-annual to annual.

Assistant to the City Manager Chaparyan reviewed the staff recommendation. He noted that the City Manager has recommended that consideration be given to an overall update of the Strategic Plan in 2017-18 with full community involvement as this will complete the 10-year span of the 2008 Strategic Plan.

MOTION: Councilmember Rizzo moved to concur with the Committee's recommendation. The motion was seconded by Councilmember Barnett and passed by unanimous vote.

12C. PURCHASE ORDER FOR MOBILE COMMAND VEHICLE

Recommendation of the Police Chief that City Council:

1) Authorize the award of a purchase order for the purchase of one Mobile Command Vehicle from Mobile Branch Facilities (MBF) Industries, Inc. of Sanford, Florida in a not to exceed amount of $770,000 (to include all change orders); and
2) Authorize the cooperative purchase of associated public safety radios for the Mobile Command Vehicle from Motorola Solutions of Schaumburg, Illinois in a not to exceed amount of $53,700.

Police Lieutenant Athan discussed the process used to select the Mobile Command Vehicle, noting that it's expected to have a life span of 20-25 years.

Responding to questions from the Council, Lieutenant Athan provided additional information regarding the Mobil Command Vehicle's (MCV) communications system, the operation of slide-outs, and the disposition of the existing MCV. He expressed confidence that the $770,000 not-to-exceed amount would cover all change orders over and above the purchase price of $753,000. He explained the rationale for having a towable restroom instead of including it within the MCV, noting that the cost of the restroom, which is approximately $20,000 is not included in this item and will be paid for by asset forfeiture funds.

Milton Herring requested information regarding the MCV's ability to handle a hazardous materials incident and to adapt to changes in technology, which was provided by Lieutenant Athan.

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

13. HEARINGS

13A. MOD15-00013: 2928 COLUMBIA STREET – ARLING WANG (HANCHEN CHEN)

Recommendation of the Planning Commission that the City Council deny the appeal and adopt a Resolution denying a Modification of a previously approved Conditional Use Permit to allow limited vehicle sales in conjunction with an existing auto repair facility on property located in the M-2 Zone at 2928 Columbia Street.
Recommendation of the Community Development Director that the City Council uphold the appeal and adopt a Resolution approving a Modification of a previously approved Conditional Use Permit to allow limited vehicle sales in conjunction with an existing auto repair facility on property located in the M-2 Zone at 2928 Columbia Street.

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

Planning Manager Lodan briefly reviewed the applicant's request for a Modification to allow limited vehicle sales at an existing auto repair facility located in the Matrix Business Park. He reported that the Planning Commission considered the application on November 18, 2015; that a board member of the property owners' association of the business park raised objections to allowing a retail operation at this location; and that the Commission subsequently denied the Modification by a vote of 4-2 with one commissioner absent.

Councilmember Rizzo disclosed that he met with Arling Wang earlier today to discuss this application and Mr. Wang presented him with additional information, which has been included in the supplemental material. Mayor Furey disclosed that he also met with Mr. Wang today along with Councilmember Rizzo.

Arling Wang, applicant/appellant, called attention to supplemental material documenting his efforts to work with the business park's property owners' association along with photos showing the interior of his facility. He stated that objections to the Modification were based on a misunderstanding of the nature of his business and emphasized that limited retail operations are vital to his business.

Alison Cole reported that her business is next door to Mr. Wang's business and related her experience that he is an upstanding businessman who runs a reputable operation.

Councilmember Ashcraft asked about the claim that the applicant at one time had 20 vehicles parked in the parking lot (per agenda material).

Ms. Cole reported that she has observed no problems in the parking lot associated with the applicant's business, noting that he has a very upscale operation that deals with Porches and operates his business on an appointment-only basis.

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

Councilmember Griffiths requested clarification as to whether the property owners' association could be more restrictive in terms of this business's operation than the City.

Assistant City Attorney Sullivan advised that the business is located within a business park condominium complex so it is subject to their rules, which currently prohibit retail operations, but according to material submitted by the applicant, it appears that they might be revising them.

Councilmember Griffiths stated that based on that information, he would vote to uphold the appeal.

MOTION: Councilmember Rizzo moved to uphold the appeal. The motion was seconded by Councilmember Griffiths and passed by unanimous vote.

Community Development Director Gibson reported that a resolution reflecting the Council's action will be brought back for approval at a later date.

14. APPEALS

14A. APPEAL OF LICENSE REVIEW BOARD'S REVOCATION OF MASSAGE ESTABLISHMENT BUSINESS LICENSE

Recommendation of the Finance Director that City Council deny the appeal and uphold with the License Review Board's decision to revoke the massage establishment business license issued to Napassorn Ngaokrachang, DBA Body Smile Thai Massage located at 24020 Vista Montana, Suite A, Torrance, California 90505.

Mayor Furey announced that the City Council's decision on this appeal will be based on the administrative record pursuant to Section 7.7 of the City Council Rules of Order and outlined the procedure for the hearing.

Bob Krane, representing Napassorn Ngaokrachang, appellant, asserted that Torrance Municipal Code Section 35.14.155, which prohibits this business from being sold to a business of the same nature, is contrary to State law, citing California Government Code Section 51034 and Business and Professions Code Sections 4612A, 4607 and 460.5.

After briefly reviewing information submitted by Mr. Krane, Assistant City Attorney Sullivan advised that the code sections cited are related to SB 731 and they are not relevant to this appeal because they deal with disciplinary action.

Assistant City Attorney Sullivan disclosed that he works in the same office as Deputy City Attorney Jocelyn Sarigumba, but they have created an ethical wall and do not discuss this case, and this is allowed pursuant to the Morongo Mission Band of Indians vs. State Water Resources Control Board.

Deputy City Attorney Sarigumba, representing City of Torrance Finance Department, provided a summary of the License Review Board hearing held January 7, 2016, which resulted in the revocation of the massage establishment business license issued to Napassorn Ngaokrachang, DBA Body Smile Thai Massage, based on Torrance Municipal Section 35.14.140(a), Section 35.14.120(b)(4) and Section 35.14.120(a).

Mr. Krane contended that the License Review Board's action was inconsistent with their action in a similar case in which a massage establishment's business license was not revoked and the business was subsequently transferred to another entity.

Mayor Furey reported that he read through the entire administrative record and fully supports the Finance Director's recommendation. He pointed out that this business was in operation only 50 days when these violations were brought to light in a police undercover investigation and noted that the City goes to great expense enforcing massage establishment regulations to preserve the quality of life for residents.

Noting that he had also read the entire administrative record, Councilmember Rizzo stated that the City's regulations are in place to prevent this type of business from operating in Torrance.

MOTION: Councilmember Rizzo moved to deny the appeal and uphold the License Review Board's decision to revoke the massage establishment business license. The motion was seconded by Councilmember Barnett and passed by unanimous vote.

17. ORAL COMMUNICATIONS #2

Councilmember Ashcraft spoke.

Steve Lays spoke.

18. EXECUTIVE SESSION

Considered earlier in the meeting, see page 1.

19. ADJOURNMENT

At 10:58 p.m., the meeting was adjourned to Tuesday, March 22, 2016 at 5:30 p.m. for an executive session, with the regular meeting commencing at 7:00 p.m. in the Council Chamber.

Mayor of the City of Torrance

Attest:

Rebecca Poirier
City Clerk of the City of Torrance

Approved on April 12, 2016