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Torrance City Council - March 27, 1990

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Peggy Lavery
Minute Secretary

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MINUTES OF A REGULAR MEETING
OF THE TORRANCE CITY COUNCIL

OPENING CEREMONIES

1. CALL TO ORDER

The Torrance City Council convened in a regular meeting on Tuesday, March 27, 1990, at 7:04 p.m., in the Council Chambers at Torrance City Hall.

2. ROLL CALL:

Present: Councilmembers Hardison, Mock, Nakano, Walker, Wirth and Mayor Geissert.

Absent: Councilman Applegate.

Also present: City Manager Jackson, City Attorney Nelson, City Clerk Bramhall, and Staff representatives.

3. FLAG SALUTE/INVOCATION

Ms. Sandi Monda led in the salute to the flag.

The invocation for the meeting was provided by Reverend George Johnson, Cathedral of Life Church.

4. APPROVAL OF MINUTES/MOTION RE FURTHER READING

MOTION: Councilman Wirth moved to approve the minutes of the City Council meeting of February 20, 1990, as recorded. His motion was seconded by Councilwoman Hardison and roll call vote was unanimously favorable [Councilman Applegate absent].

MOTION: Councilman Wirth moved that after the City Clerk has assigned a number and read title to any resolution or ordinance on the agenda for this meeting, the further reading thereof be waived, reserving and guaranteeing to each Councilmember the right to demand the reading of any such resolution or or-

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dinance in regular order. His motion was seconded by Councilman Mock and roll call vote was unanimously favorable [Councilman Applegate absent].

5. MOTION RE POSTING OF AGENDA

MOTION: Councilman Wirth moved to accept and file the report of the City Clerk on the posting of the agenda for this meeting. This motion, seconded by Councilman Mock, carried unanimously by roll call vote [Councilman Applegate absent].

6. WITHDRAWN OR DEFERRED ITEMS

Mayor Geissert announced that the Council would be willing to consider a request for continuance from any of the principals involved in Planning cases scheduled to be heard this evening in order that these matters might be heard by a full Council. [See Page 8, Item 15a.]

7. COUNCIL COMMITTEE MEETINGS

Finance and Governmental Operations Committee
Met this date - report forthcoming.

Ad Hoc Rose Float Committee
Thursday, March 29, 1990, 5:00 p.m.
Subject: 1991 Rose Parade Float.

Ad Hoc Armed Forces Day Committee
Tuesday, April 3, 1990, 6:00 p.m.
Subject: 1990 Armed Forces Day Parade.

8. COMMUNITY MATTERS

8a. TORRANCE AREA CHAMBER OF COMMERCE FIFTIETH ANNIVERSARY

RESOLUTION NO. 90-50

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF TORRANCE COMMENDING AND CONGRAT-
ULATING THE TORRANCE AREA CHAMBER OF
COMMERCE UPON ITS FIFTIETH ANNIVERSARY

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MOTION: Councilman Nakano moved to adopt Resolution No. 90-50. His motion was seconded by Councilman Walker and roll call vote proved unanimously favorable [Councilman Applegate absent].

Mayor Geissert presented this resolution to Mr. Kevin Peterson, president of the Torrance Area Chamber of Commerce. Mr. Peterson was accompanied to the podium by Mr. Dick Rossburg, past president of the Chamber and former Torrance City Councilmember.

8b. PROCLAMATION declaring the month of April 1990 as "Fair Housing Month" in the City of Torrance.

SO PROCLAIMED by Mayor Geissert.

This proclamation was accepted, with appreciation, by Ms. Melinda Hannon, Administrative Assistant for Metro-Harbor Fair Housing Council.

8c. PROCLAMATION proclaiming April 1 through 7, 1990, as "Week of the Young Child" in the City of Torrance.

SO PROCLAIMED by Mayor Geissert.

8d. PROCLAMATION proclaiming April 2 through 7, 1990, as "Public Health Week '90" in the City of Torrance.

SO PROCLAIMED by Mayor Geissert.

8e. DONATION FROM TORRANCE COMMUNITY AWARENESS AND EMERGENCY RESPONSE ASSOCIATION (CAER)

RECOMMENDATION:

The Fire Department recommends that the City Council accept the donation of the personal computer system from the TORRANCE COMMUNITY AWARENESS AND EMERGENCY RESPONSE ASSOCIATION, with appreciation for their generosity and continuing efforts toward enhanced public safety through joint planning, training and resource sharing.

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Mayor Geissert was joined at the podium by Fire Chief Adams, Mr. Fred Smalling, president of CAER, Mr. Daniel Fieber, vice-president of CAER, and Mr. Dale Tady, chairman of the Community Awareness Committee of CAER.

Mr. Smalling presented a personal computer system to be used on board the City's Hazardous Materials Response Vehicle for the storage and retrieval of site specific hazardous materials information.

There was grateful acceptance by Chief Adams and by the Mayor, who also expressed appreciation on behalf of her colleagues on the Council.

8f. RESOLUTION Honoring Senior Civil Engineering Assistant Paulino Costa, Jr.

RESOLUTION NO. 90-51

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING SENIOR CIVIL ENGINEERING ASSISTANT PAULINO COSTA, JR. FOR HIS DEDICATION, PROFESSIONALISM AND CONTRIBUTIONS TO THE CITY OF TORRANCE THROUGHOUT HIS 20 YEARS OF SERVICE

MOTION: Councilman Nakano moved to adopt Resolution No. 90-51. His motion was seconded by Councilman Walker and roll call vote was unanimously favorable [Councilman Applegate absent].

This resolution will be presented to Mr. Costa at a later date.

8g. PROCLAMATION naming April 1990 as "California Earthquake Preparedness Month" in the City of Torrance.

SO PROCLAIMED by Mayor Geissert and presented to Ms. Terese Condon, Disaster Preparedness Analyst for the City of Torrance.

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8h. RESOLUTION OF COMMENDATION TO MAYOR GEISSERT

RESOLUTION NO. 90-52

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF TORRANCE HONORING
KATY GEISSERT

MOTION: Councilman Nakano moved to adopt Resolution No. 90-52. His motion was seconded by Councilman Walker and carried by way of the following roll call vote.

AYES: Councilmembers Hardison, Mock, Nakano,
Walker and Wirth.

NOES: None.

ABSTAIN: Mayor Geissert

ABSENT: Councilman Applegate.

This resolution was accepted with gratitude by Mayor Geissert, who voiced appreciation for Assemblyman Gerald Felando's expression of confidence in naming her "Woman of the Year" for the 51st Assembly District.

Councilwoman Hardison praised Mayor Geissert for her accomplishments and deemed it a privilege to serve as a member of the Council under the leadership of Mrs. Geissert.

10. TRANSPORTATION/PUBLIC WORKS MATTERS

10a. ROBINSON HELICOPTER COMPANY LEASE OF FORMER NAGEL
AIRCRAFT HANGAR

RESOLUTION NO. 90-53

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF TORRANCE APPROVING THAT CERTAIN
MONTH-TO-MONTH LEASE BETWEEN THE CITY
AND ROBINSON HELICOPTER COMPANY FOR THE
FORMER NAGEL LEASE SITE AT THE TORRANCE
MUNICIPAL AIRPORT

MOTION: Councilman Nakano moved to adopt Resolution No. 90-53. His motion was seconded by Councilman Walker and roll call vote was unanimously favorable [Councilman Applegate absent].

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10b. SETTING A PUBLIC HEARING for Confirmation of Street Assessments - Grevillea Avenue (Assessment District 89-1)

RECOMMENDATION:

The Engineering Department recommends that the City Council set April 24, 1990 at 7:00 p.m. as the date and time for a public hearing to confirm the assessments for street improvements on Grevillea Avenue from 182nd Street to 186th Street (Assessment District 89-1) pursuant to Division 7, Chapter 27, of the Streets and Highways Code (Improvement Act of 1911).

MOTION: Councilman Wirth moved to concur with the recommendation of the Engineering Department on Agenda Item 10b. His motion, seconded by Councilman Walker, carried by unanimous roll call vote [Councilman Applegate absent].

10c. NOTICE OF COMPLETION AND APPROPRIATION OF FUNDS -
 (B89-63) - Wheelchair Ramps.

RECOMMENDATION:

The Engineering Department recommends that the City Council:

- 1) Accept the work;
- 2) File a Notice of Completion for the construction of wheelchair ramps at various locations and reconstruction of Crenshaw Boulevard from 230th Place to 231st Street (B89-63); and
- 3) Appropriate \$7,000.00 from Gas Tax Funds to cover the final costs.

MOTION: Councilwoman Hardison moved to concur with the above stated recommendation of the Engineering Department, including the appropriation. Her motion, seconded by Councilman Walker, was unanimously approved by roll call vote [Councilman Applegate absent].

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10d. NOTICE OF COMPLETION - Water Main Extension - Cabrillo Avenue, Ratification of Emergency Work Performed and Appropriation of Additional Funds.

RECOMMENDATION:

It is the recommendation of the Water Department that the City Council authorize the following:

1. Accept the completed portion of the water main constructed by Capellino Brothers;
2. Ratify and approve the emergency work performed to replace the deteriorated 80 feet of leaking water main to 213th Street; and
3. Appropriate the sum of \$11,515 from the Water Revenue Fund for payment of the emergency work.

MOTION: Councilman Walker moved to concur with the recommendation of the Water Department as set forth in Agenda Item 10d, with appropriation. His motion, seconded by Councilwoman Hardison, carried by unanimous roll call vote [Councilman Applegate absent].

11. POLICE AND FIRE MATTERS

11a. APPROVAL OF MULTI-COUNTY PUBLIC WORKS MUTUAL AGREEMENT

RECOMMENDATION:

The Police Department, Office of Emergency Services, recommends that the City Council approve the Agreement for Public Works Mutual Aid between the County of Los Angeles, Orange County, and all jurisdictions within each County that are parties to this Agreement.

MOTION: Councilman Wirth moved to concur with the above stated staff recommendation on Agenda Item 11a. His motion was seconded by Councilman Walker and roll call vote was unanimously favorable [Councilman Applegate absent].

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15. HEARINGS

15a. CUP 89-75, GPA 89-4, TT 46938, (EA 88-27): ISCO INDUSTRIES, INC.

Mayor Geissert announced that this was the time and place for City Council consideration of an appeal of a Planning Commission approval of a request for approval of a Conditional Use Permit to allow construction of 17 detached condominium units; a General Plan Amendment from Low-Density Residential to Low-Medium Density Residential; and a Tentative Tract to allow a one-lot subdivision for condominium purposes on property located in the R-P zone at the northeast corner of Yukon Avenue and 182nd Street. CUP 89-75, GPA 89-4, TT 46938, (EA 88-27): ISCO INDUSTRIES, INC.

Proof of publication, provided by the City Clerk, was filed without comment.

Mayor Geissert noted receipt of a request from Isco Industries requesting a continuation of this agenda item in order that the matter might be considered by a full Council.

MOTION: Councilman Walker moved to continue Item 15a to April 24, 1990, 7:00 p.m. The motion was seconded by Councilman Nakano.

Prior to roll call vote, members of the audience addressed the Council on the subject of the requested continuance.

Ms. Marilyn Throssel, 3909 176th Street, inquired regarding the legality of hearing the matter tonight. Upon being advised by the City Attorney that such would be legal, Ms. Throssel requested that the item be considered at this meeting.

Speaking on behalf of Isco Industries, Mr. Mitch Donaldson verbalized their request that this matter be considered by a full Council, with formal presentations by the proponent and by staff to be provided at the time of the hearing.

The following members of the audience also addressed the question of continuance, generally requesting that the matter be heard this evening.

- Ms. Pat Holcomb, 3343 West 180th Street,
- Ms. Molly Alred, 17504 Yukon Avenue,
- Mr. Rick Diomico, 3131 West 179th Street,

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- Mr. Robert Bornido, 3733 West 181st Street,
- Mr. Arnold Woo, 3759 Sandgate Drive.

Council discussion ultimately resulted in the following roll call vote on the motion for continuance to April 24.

AYES: Councilmembers Mock, Nakano, Walker and Wirth.

NOES: Councilmembers Hardison and Mayor Geissert.

ABSENT: Councilman Applegate.

15b. PP 89-47, W 89-30, D 89-56: GARLAND DEVELOPMENT, INC.

Mayor Geissert announced that this was the time and place for City Council consideration of an applicant appeal of a Planning Commission denial of a Precise Plan of Development and a Waiver to allow the construction of a new two-story residence with less than the Code required front yard setback; a fence height waiver to allow an overheight retaining wall; and a Division of Lot to allow the merger of three lots into one lot on property located in the Hillside Overlay District in the R-1 zone on the north side of Via El Chico approximately 800 feet west of its easterly terminus. PP 89-47, W 89-30, D 89-56: GARLAND DEVELOPMENT, INC.

Proof of publication, provided by the City Clerk, was filed without objection.

During his staff presentation on this agenda item, Senior Principal Planner Gibson noted that the Planning Commission recommends denial of the appeal and denial of the project; the Planning Department recommends approval of the appeal and approval of the project.

After Mr. Gibson responded to Council questions regarding site elevations, previous development applications for the site, drainage provisions, etc., Mayor Geissert invited the proponent to address the Council.

Ms. Cheryl Vargo, representing the applicants, described their request to combine three oddly shaped parcels in order to provide one developable lot. Photographs depicting existing dwellings were submitted for the record.

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Ms. Vargo addressed the matter of impact to neighboring properties, noting her opinion that any development on the subject site will adversely affect light and privacy to the property to the west [Moscato's]. She suggested, as mitigating factors, that they move the proposed dwelling approximately three feet to the east and remove the master bedroom balcony. Ms. Vargo recommended the use of vegetation to mitigate privacy impacts to the Brown residence at 2518 Riviera Way.

Responding to a direct question from the Mayor, City Attorney Nelson advised that the City is not required by law to join the three lots in question.

Audience members who voiced strong opposition to the proposed construction were:

Mr. Cliff Humford, 5614 Riviera Way,

Mr. Steve Brown, 5618 Riviera Way,

Mr. Douglas Renwick, 5624 Riviera Way,

Mr. Robert Beatie, 400 Via El Chico,

Mr. Marve Cherryholmes, 404 Via El Chico,

Ms. Lois Moscato, 351 Via El Chico,

Ms. Barbara Brown, 5618 Riviera Way,

Mr. Johnnie Moscato, 351 Via El Chico [submitted photographs for the record].

Concerns voiced by these speakers included: slope and soil stability, loss of light and privacy, massive appearance and impact of the structure, too large a structure for the lot, traffic and parking problems, view blockage, adequacy of setbacks, etc.

It was pointed out by Mr. Cherryholmes that the proposal is essentially for construction of a 3,000 square-foot structure on only one of the substandard size lots [the other two substandard lots accommodate the driveway and garage]. A shade-shadow analysis was requested by Ms. Brown.

Ms. Vargo returned to respond to issues raised by various speakers and to reiterate her suggestion regarding a slight shifting of the house [three to five feet] to the east; removal of the balcony off the master bedroom; and planting of trees for privacy. Ms. Vargo clarified that there is a setback

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proposed of ten feet from the curb [five feet plus a five-foot sidewalk to the corner of the garage]. She also advised that the silhouette for the balcony above the garage includes the railing proposed. Favorable consideration was requested.

There being no other audience members who wished to speak, Councilman Wirth moved to close the hearing. His motion was seconded by Councilman Walker and roll call vote was unanimously favorable [Councilman Applegate absent].

Councilman Walker offered his opinion that the subject plan, even with modifications, would not be appropriate for this site. A design taking into consideration the sensitivity of the neighbors was suggested by Mr. Walker.

Councilman Nakano deemed the impact in terms of light and privacy overwhelming, and suggested that the only acceptable development for this site would be a single-story structure.

MOTION: Councilman Wirth moved for denial of the appeal and denial of project. The motion was seconded by Councilman Mock.

Councilwoman Hardison indicated her support of the motion on the floor, noting her concerns regarding the impact, particularly to the Moscato's and to the Brown's. Ms. Hardison deemed this basically to be a 3,000 square-foot building on a 4,000 square-foot lot.

Opposition to the combining of "very substandard" lots and the creation of hardships for others in the area, was expressed by Mayor Geissert, who pointed out that Via El Chico is a hazardous street with density problems. Ms. Geissert deemed this a distinct invasion of privacy for the Moscato's and for the Brown's.

Roll call vote on the above motion for denial was unanimously favorable, yes being for denial [Councilman Applegate absent].

Ms. Vargo returned at this point to request Council consideration of continuing the matter to allow for a redesign, rather than denying the project. This suggestion was not favorably received by the Council.

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* * *

At 9:06 p.m., Mayor Geissert called a recess. The Council returned at 9:38 p.m.

* * *

17. ADMINISTRATIVE MATTERS

17a. RECONSIDERATION OF OXFORD PROJECT

RECOMMENDATION:

It is recommended that should your Honorable Council choose to reconsider this item, that a public hearing be set not less than two (2) weeks in the future to allow for proper notification.

CITY MANAGER'S NOTE:

The dates of April 24th, May 1st, or May 8th, 1990 are suggested as possible hearing dates for Council consideration.

In response to an inquiry by the Mayor, City Attorney Nelson advised that if a redesign from Oxford Properties is deemed to be "substantially different", the matter must then be returned to the Planning Commission for consideration.

Mr. Mike Branigan was present to represent Oxford Properties, 21250 Hawthorne Boulevard, Suite 770.

Concerns voiced by Councilmembers during the March 13 Council consideration of the Oxford submittal were reiterated regarding development of the overall site [including the Pacific Heritage Bank parcel] within the .8 floor area ratio cap previously imposed by the City.

Mayor Geissert was resolute in her personal desire that the floor area ratio issue be resolved and firmly established by way of a legal document insofar as the Pacific Heritage Bank parcel is concerned.

Mr. Branigan advised that it is Oxford's hope to resolve the issue with Pacific Heritage before returning to the Council for reconsideration.

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Councilman Mock, who asked [at the request of Oxford Properties] that this agenda item be scheduled, voiced his agreement with the need to tie Pacific Heritage Bank to the overall development concept. Based on the fact that Oxford is willing to submit an overall scheme for the project, Mr. Mock offered the following...

MOTION: Councilman Mock moved to reconsider the Oxford Project [CUP 89-61, D 89-68 AND CUP 86-15 (MOD)].

The motion was seconded by Councilman Walker, who voiced his assumption that matters of concern will be satisfactorily negotiated between Oxford and Pacific Heritage.

A question was raised at this time as to the propriety of Councilman Walker seconding the above motion inasmuch as he was not on the prevailing side at the time of the original consideration. Mr. Walker then withdrew his second and the motion was seconded by Councilman Wirth, who stated he did so reluctantly.

Councilman Wirth stated that among his demands for reconsideration, would be a requirement for involvement of the Pacific Heritage Bank proposal. He further requested a project that is different than that previously submitted by Oxford, and not just a modification of that project. At the same time, Mr. Wirth acknowledged that should the resubmittal be "extremely and dramatically different" he would then favor returning the matter to the Planning Commission.

Councilwoman Hardison stated that, while she is willing to look at a new proposal, she does have major concerns which are a matter of record.

Mayor Geissert reiterated her strong determination that there has to be a legal commitment on the part of Pacific Heritage Bank arranged through Oxford to tie down a FAR, whatever that FAR might be, knowing full well that that will absolutely affect the density of Oxford's part of the development.

Concerns involving this case were also voiced by Councilman Nakano, who pointed out to the Oxford representative that after the commitment for a .8 FAR limitation was made by Oxford, they brought forward a proposal for .94 FAR [Phase 2a], and also sold off a piece of the property without any kind of restriction. Mr. Nakano noted that his support of the reconsideration is reluctantly given.

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Councilman Mock suggested that reconsideration of the matter be set for May 8, 1990, 7:00 p.m., and he so MODIFIED his motion. This modification was accepted by Councilman Wirth as second of the motion, and roll call vote was unanimously favorable [Councilman Applegate absent].

20. CONSENT CALENDAR

20a. SUBJECT: PARCEL MAP 20789 (D89-16)
SUBDIVIDER: J.F.M. Construction
LOCATION: 22911 Arlington Avenue
NUMBER OF LOTS: 1 Lot (2-Unit Condo).

RECOMMENDATION:

The Engineering Department recommends the City Council approve Parcel Map No. 20789, approve the abandonment thereon, and accept the right-of-way dedication.

MOTION: Councilman Wirth moved to concur with staff recommendation on Agenda Item 20a. His motion was seconded by Councilman Mock and roll call vote was unanimously favorable [Councilman Applegate absent].

* * *

At 10:05 p.m., the City Council convened in joint session with the Redevelopment Agency of the City of Torrance. The regular City Council order of business was resumed at 10:06 p.m. [the Agency meeting was formally adjourned at 10:11 p.m. - see Page 15].

* * *

22. ORAL COMMUNICATIONS

22a. City Manager Jackson announced his appointment of Michael Smith as the City's new Cable TV Administrator.

22b. Councilwoman Hardison requested that a concern recently brought to the Council's attention by way of correspondence from a resident on Newton Street be looked into by staff. Director of Transportation Horkay indicated that he will follow through.

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22c. Councilwoman Hardison requested that the upcoming report on the Senior Ride Program include a financial comparison with the Dial-A-Lift program as well as staff recommendations involving the two programs.

22d. Councilman Nakano requested that signs be posted at Wilson Park to prohibit inappropriate use of the newly paved parking lot by overnight parking of large vehicles.

23. EXECUTIVE SESSION

23a. EXECUTIVE SESSION MATTERS

City Manager Jackson announced that the Redevelopment-related item scheduled for consideration during the executive session this date will not be discussed. Therefore the meeting of the Redevelopment Agency was formally adjourned at this time [10:11 p.m.] to Tuesday, April 3, 1990, 7:00 p.m.

Mayor Geissert read the following statement into the record.

The City Council will now recess to closed session to confer with the City Manager and/or the City Attorney on the following subjects:

- Salaries, salary schedules and compensation for certain unrepresented employees and represented employee groups as well as certain other personnel matters;
- Pending litigation entitled People of the State of California vs. Mobil Oil Corporation, et al., Los Angeles Superior Court Case No. C 719953;
- Negotiations for lease/purchase of Columbia School site with Torrance Board of Education;
- Current litigation entitled Fred Smith vs. The City of Torrance, Los Angeles Superior Court Case No. C620563; and,
- Pending litigation entitled Jerry Conrow, etc. vs. The City of Torrance, et al., Los Angeles Superior Court Case No. C 756372.

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Authority to hold an executive session for these purposes is contained in Government Code Sections 54957.6(a); 54956.9(a); and 54956.8.

At 10:12 p.m., following a brief recess, the City Council met in executive session. The Council returned at 10:56 p.m.

24. ADJOURNMENT

At 10:56 p.m. this meeting of the City Council was formally adjourned to Tuesday, April 3, 1990, at 7:00 p.m. [The establishment of 7:00 p.m. as the time of convening the April 3 Council meeting was to allow the Mayor an opportunity to return from Sacramento where she will be testifying regarding the Tucker Bill (AB 2857) that afternoon.]

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Mayor of the City of Torrance



Clerk of the City of Torrance

Peggy Laverty
Minute Secretary

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