

October 14, 2003

**MINUTES OF AN ADJOURNED REGULAR
MEETING OF THE TORRANCE CITY COUNCIL**

1. CALL TO ORDER

The Torrance City Council convened in an adjourned regular meeting at 5:35 p.m. on October 14, 2003, in Council Chambers.

ROLL CALL

Present: Councilmembers Lieu, Mauno, McIntyre, Nowatka, Scotto, Witkowsky and Mayor Walker.

Absent: None.

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

Mayor Walker stated that subsequent to the posting of the City Council agenda, the City's Labor Negotiator and the Torrance Fire Fighters Association reached an agreement on a collective bargaining memorandum of intent. He indicated that it was necessary for the Council to take immediate action in order to implement this agreement in a timely fashion. The City Manager had asked that the City Council add this item to the agenda for consideration and approval.

In order to take action on a matter that is not on the agenda, the California Government code requires a determination by a two-thirds vote of the Council that immediate action is necessary and that the need to take action arose subsequent to the posting of the agenda.

MOTION: Councilmember Scotto moved to add item 11f to the agenda. Councilmember McIntyre seconded the motion and a roll call vote reflected unanimous approval.

Mayor Walker stated that the Council would consider the item as part of the public session agenda, pursuant to Government Code Section 54954.2(b) (2).

17. EXECUTIVE SESSION

The Council immediately recessed to closed session to confer with the City Manager and the City Attorney on the agenda matters listed under 17.a) Conference with Labor Negotiator; 17.b) Public Employee Performance Evaluation – City Manager; and 17.c) Conference with Legal Counsel – Anticipated Litigation pursuant to California Government Code Sections 54957.6, 54957 and 54956.9.

The Council reconvened at 7:11 p.m.

2. FLAG SALUTE/INVOCATION

The Pledge of Allegiance was led by Councilmember Mauno.

The invocation was given by Councilmember McIntyre.

3. AFFIDAVIT OF POSTING/WAIVE FURTHER READING

MOTION: Councilmember McIntyre moved to accept and file the report of the City Clerk on the posting of the agenda for this meeting. The motion was seconded by Councilmember Lieu and a voice vote reflected unanimous approval.

MOTION: Councilmember McIntyre 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 Lieu and a roll call vote reflected unanimous approval.

4. **WITHDRAWN OR DEFERRED ITEMS**

City Manager Jackson announced that item 12a had been continued.

5. **COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS**

None.

6. **COMMUNITY MATTERS**

6a. **RESOLUTION NO. 2003-142 RE FIRE CAPTAIN EDWARD W. HEWITT, JR.**

RESOLUTION NO. 2003-142

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING FIRE CAPTAIN EDWARD W. HEWITT, JR. UPON HIS RETIREMENT FROM THE CITY AFTER TWENTY-SEVEN YEARS OF SERVICE.

MOTION: Councilmember Lieu moved to adopt resolution No. 2003-142. Councilmember Scotto seconded the motion and a roll call vote reflected unanimous approval.

To be presented at a later date.

6b. **RESOLUTION NO. 2003-143 RE POLICE OFFICER JAMES RICHARD LYNCH**

RESOLUTION NO. 2003-143

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE COMMENDING POLICE OFFICER JAMES RICHARD LYNCH UPON HIS RETIREMENT FROM THE CITY AFTER TWENTY-EIGHT YEARS OF SERVICE.

MOTION: Councilmember Lieu moved to adopt resolution No. 2003-143. Councilmember Witkowsky seconded the motion and a roll call vote reflected unanimous approval.

To be presented at a later date.

6c. **RESOLUTION NO. 2003-144 RE POLICE OFFICER RONALD DEAN GOODLETT**

RESOLUTION NO. 2003-144

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE COMMENDING POLICE OFFICER RONALD DEAN GOODLETT UPON HIS RETIREMENT FROM THE CITY AFTER TWENTY-TWO YEARS OF SERVICE.

MOTION: Councilmember Lieu moved to adopt resolution No. 2003-144. Councilmember Scotto seconded the motion and a roll call vote reflected unanimous approval.

To be presented at a later date.

6d. RESOLUTION NO. 2003-145 RE POLICE OFFICER JOHN PATRICK BLAIR

RESOLUTION NO. 2003-145

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE COMMENDING POLICE OFFICER JOHN PATRICK BLAIR UPON HIS RETIREMENT FROM THE CITY AFTER TWENTY-ONE YEARS OF SERVICE.

MOTION: Councilmember Lieu moved to adopt resolution No. 2003-145. Councilmember Scotto seconded the motion and a roll call vote reflected unanimous approval.

To be presented at a later date.

6e. PROCLAMATION RE FIRE PREVENTION WEEK

Councilmember Nowatka read the proclamation declaring the week of October 13 through October 19, 2003 as Fire Prevention Week in the City of Torrance, and calling upon the citizens of the community to participate in fire prevention activities at home, work, and school. The proclamation was accepted by Public Information Office Tad Friedman who thanked Mayor Walker and noted that the Fire Department would be visiting Torrance Schools and hosting a Safety Fair at the Torrance Del Amo Mall on Saturday, October 18. He pointed out how important the support of the City and other organizations is to the efforts of the Fire Department.

6f. 2003-2004 TORRANCE YOUTH COUNCIL APPOINTMENTS

Recommendation of the Parks and Recreation Director that City Council confirm the appointments of members to the 2003-2004 Torrance Youth Council and have them officially sworn in by the City Clerk.

MOTION: Councilmember Scotto moved to concur with the recommendations. Councilmember Nowatka seconded the motion and a roll call vote reflected unanimous approval.

Mayor Walker explained Youth Council functions and Youth Council members came forward and to introduce themselves: Russell Akiyama and Amy Hendry from Bishop Montgomery; Lan Nguyen and Su Fey Ong from California Academy of Math and Science; Justin Ahn and Christine Kang, Members at Large; Nina Sawhney and Seema Sharma from El Camino; Dan Ngo and Chris Membribes of North High; Julie Barajas and Sheri Vanbrundt of Torrance High; Kasia Zastawnik and Stephanie Shih of South High; and Stephanie Sung and Sean Crandall from West High.

City Clerk Herbers administered the City Oath to the new Youth Council members.

7. CONSENT CALENDAR

Thomas Torres with Torres Construction raised concerns regarding item 7e and Councilmember Witkowsky asked that items 7d and 7e be held for further discussion.

7a. **APPROVAL OF MINUTES OF JUNE 17, JULY 22, AUGUST 5 AND AUGUST 12, 2003**

Recommendation

Approval of minutes of June 17, July 22, August 5 and August 12, 2003.

7b. **2003-2004 WORKFORCE INVESTMENT ACT (WIA) FUNDING AGREEMENT**

Recommendation

Recommendation of the Human Resources Director that City Council authorize the execution of the 2003-2004 Workforce Investment Act (WIA) funding agreement with the City of Los Angeles to provide \$1,200,000 for the management of business services and job seeker programs through the WIN WorkSource Center. Funding for the 2003-2004 Workforce Development Division budget comes from the City of Los Angeles.

7c. **LABELLE-MARVIN, INC. CONTRACT RE ARTESIA BOULEVARD STREET IMPROVEMENT PROJECT**

Recommendation

Recommendation of the Public Works Director that City Council:

- 1) Approve a contract services agreement in the amount of \$32,800 with Labelle-Marvin, Inc. to perform independent assurance sampling and testing services of construction and pavement materials for the Artesia Boulevard Street Improvement Project (B2003-09); HP21L-5249(010); and
- 2) Authorize the Mayor to execute and the City Clerk to attest to said agreement.

7d. **LIBRARY SERVICES AND TECHNOLOGY ACT (LSTA) AND FRIENDS OF THE TORRANCE LIBRARY GRANTS**

Recommendation

Recommendation of the City Librarian that City Council accept and appropriate a Library Services and Technology Act (LSTA) grant in the amount of \$43,470 (FEAP #409), and a supporting grant of \$7,500 from The Friends of the Torrance Library to be used to enhance library services for individuals with disabilities.

Considered separately.

7e. **ACTION CONTRACTORS CONTRACT RE PUBLIC WORKS DEPARTMENT RENOVATION**

Recommendation

Recommendation by the General Services Director that City Council:

- 1) Award a contract to Action Contractors for \$129,900 plus a 5 % contingency of \$6,495 for renovation of the Public Works Department (FEAP #398) (B2003-30); and
- 2) Authorize a 10 % project management fee of \$12,990.

7f. **BOA ARCHITECTURE PURCHASE ORDER RE DESIGN OF PARK SERVICES DIVISION OFFICES**

Recommendation

Recommendation of the General Services Director that City Council award a purchase order in the amount of \$7,700 to BOA Architecture for the design of the Park Services Division offices located at the City Services Yard.

MOTION: Councilmember Mauno moved to approve items 7a through 7c and item 7f as written. Councilmember McIntyre seconded the motion and a roll call vote reflected unanimous approval.

Considered separately.

7e. **ACTION CONTRACTORS CONTRACT RE PUBLIC WORKS DEPARTMENT RENOVATION**

Recommendation

Recommendation by the General Services Director that City Council:

- 1) Award a contract to Action Contractors for \$129,900 plus a 5 % contingency of \$6,495 for renovation of the Public Works Department (FEAP #398) (B2003-30); and
- 2) Authorize a 10 % project management fee of \$12,990.

Tomas Torres with Torres Construction asserted that he had been unfairly disqualified on section 7026.12 of the California Business and Professional Code which requires that a C16 license is required for the installation of new sprinkler systems. He noted that was not valid as this project entails the replacement of escuteons and lowering of sprinkler heads in one office, not the installation of a new system. The scope of work to lower one or two sprinkler heads could be done for less than ½ of 1% of their bid which is slightly over \$500 which does fulfill the requirements of having a C-16 License to turn off the fire sprinkler system temporarily.

Facility Services Manager Landis indicated that it is their opinion that work involved does require a C-16 Fire Protection License and the work is above the ½ of 1%. Bids submitted by other contractors had the fire protection subcontractor costs in the neighborhood of \$5,000 which is approximately 4-5% of the total project costs.

City Attorney Fellows reported consulting with General Services about the requirements of the law and the matter came down to a judgment call as to whether the license is required. He added that Mr. Torres was talking about 10% of what the other bidders thought that work would entail.

Mr. Torres indicated that he was proposing an alternate procedure which did not require a fire sprinkler system turnoff, resulting in a bid that was \$500 rather than \$5,000.

In response to an inquiry from Councilmember Scotto, Mr. Torres indicated that his bid was \$20,000 less than the bid that won for the same work.

Councilmember Witkowsky expressed support for the staff recommendation noting that she favored the higher qualifications when the matter is connected to a life saving entity.

Councilmember Mauno agreed with Councilmember Witkowsky noting that the City requires a level playing field based upon specifications and suggesting that perhaps in the future, alternate methods could be considered.

MOTION: Councilmember Witkowsky moved to concur with the staff recommendation on item 7e. Councilmember Scotto seconded the motion and a roll call vote reflected unanimous approval.

Considered out of order

7d. **LIBRARY SERVICES AND TECHNOLOGY ACT (LSTA) AND FRIENDS OF THE TORRANCE LIBRARY GRANTS**

Recommendation

Recommendation of the City Librarian that City Council accept and appropriate a Library Services and Technology Act (LSTA) grant in the amount of \$43,470 (FEAP #409), and a supporting grant of \$7,500 from The Friends of the Torrance Library to be used to enhance library services for individuals with disabilities.

Councilmember Witkowsky congratulated the Library Staff on the \$43,470 grant received and she thanked the Friends of the Torrance Library for the \$7,500 check which will serve individuals with disabilities. She noted that the program would be up and running within the next couple of months.

MOTION: Councilmember Witkowsky moved to concur with the staff recommendation for item 7d. Councilmember Scotto seconded the motion and a roll call vote reflected unanimous approval.

9. **PLANNING AND ECONOMIC DEVELOPMENT**

9a. **RESOLUTION NO. 2003-147 RE RENTAL ASSISTANCE PROGRAM**

Recommendation of the Community Development Director that City Council adopt a **RESOLUTION** approving the certification of the Section 8 Management Assessment Program (SEMAP) for the fiscal year ending June 30, 2003 which was electronically submitted for the Section 8 Rental Assistance Program.

MOTION: Councilmember Scotto moved to concur with the staff recommendation. Councilmember McIntyre seconded the motion and a roll call vote reflected unanimous approval.

RESOLUTION NO. 2003-147

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE APPROVING THE SECTION 8 MANAGEMENT ASSESSMENT PROGRAM CERTIFICATION FOR THE CITY OF TORRANCE SECTION 8 RENTAL ASSISTANCE PROGRAM FOR THE FISCAL YEAR ENDING JUNE 30, 2003

MOTION: Councilmember Lieu moved to adopt Resolution No. 2003-147. Councilmember Nowatka seconded the motion and a roll call vote reflected unanimous approval.

11. **ADMINISTRATIVE MATTERS**

11a. **CONTINUED STATE OF LOCAL EMERGENCY FOR CAROLWOOD LANE AND SINGINGWOOD DRIVE**

Recommendation of the City Manager and the City Attorney that City Council continue the state of local emergency, proclaimed March 2, 2001 for properties located on Carolwood Drive and Singingwood Drive.

MOTION: Councilmember Scotto moved to continue the state of local emergency for Carolwood Drive and Singingwood Drive. Councilmember Nowatka seconded the motion and a roll call vote reflected unanimous approval.

11b. RESOLUTION NO. 2003-148 RE LEASING PUBLIC PROPERTY

Recommendation of the Land Management Team that City Council authorize the Mayor to execute and the City Clerk to attest to:

- 1) An Agreement for the termination of lease by and among: (i) City of Torrance, a Municipal corporation (the "City"); (ii) Peninsula Pontiac GMC Buick, Inc. a Delaware corporation ("Lessee"); and (iii) Argonaut Holdings, Inc. a Delaware corporation ("Argonaut");
- 2) A Resolution of the City Council of the City of Torrance determining certain city-owned property not required for city purposes and that leasing the property is in the public interest (Resolution); and
- 3) A lease by and between the City of Torrance, a Municipal corporation, as lessor, hereinafter referred to as the "City", and Argonaut Holdings, Inc., a Delaware corporation, as lessee, hereinafter referred to as "Lessee".

Assistant to the City Manager Sunshine indicated that the termination agreement was necessary to put a new lease in place. He added that the surplus property resolution was similar to the one from 1972, and a new lease increases the base rent from \$94,000 to \$428,496 annually to reflect the current market value. He added that there would be certain renovation requirements included in the lease.

Robert Burnett, 25206 Bigelow Road, Apt. 3, cited lease item 16, subparagraph b and expressed concern that if the lessee can not drive on Airport Drive then they will have to drive on Pacific Coast Highway or continue on into the neighborhood in Walteria. He felt that requirement posed a danger to their children and expressed concern about potential accidents and property damage. Mr. Burnett requested a re-evaluation of the lease and requested that test driving be allowed on Airport Drive as it is a commercial and industrial area.

In response to an inquiry from Mayor Walker, Assistant to the City Manager Sunshine explained that the intent of the language was to keep drivers from driving at excessive speeds and he noted that any repairs were to be made on the property. Mayor Walker asserted that the dealerships would be made aware of problems involved with taking cars into the residential neighborhoods.

Mr. Burnett reported excessive amounts of test driving on their residential streets and requested enforcement.

Police Chief Herren noted that the area officer would make contact with dealerships with regard to speeding vehicles in the neighborhood and following vehicle code ordinances.

In response to an inquiry from Councilmember Witkowsky about adding a requirement to the lease that no testing is allowed on residential streets, City Attorney Fellows commented that the streets were public and anyone could drive a car down them. He commented that if they were cited for hot-rodding there would be extra leverage in terms of default of the lease and enforcement. He noted that generally the City relies on enforcement, but this is an attempt to remind the dealerships through the lease.

Councilmember Witkowsky acknowledged that the dealerships helped with revenue but she expressed concern with test drives through residential neighborhoods and wanted to see a restriction on all the dealerships not to use residential

neighborhoods. In response to her concerns about dealerships using residential streets for employee parking, City Attorney Fellows noted that parking is a separate issue and he has had no indication that this dealership has a parking problem.

Councilmember Lieu suggested deleting the words “along Airport Drive” or replace references to Airport Drive with “any City street.”

Karen Bruechle, 25222 Weston Road, expressed concerns with potential problems between employees and residents over parking, noting that GMC employees park on her street because the dealership uses employee spaces for new cars.

Mayor Walker noted that parking was a separate issue and he suggested that staff come back with further information. Ms. Bruechle asserted that Volvo was not complying though it is in their lease and Mayor Walker pointed out that Volvo is a separate issue. He directed staff to look into those concerns and schedule a meeting to go over those issues at a later date.

Steve Bruechle, 25222 Weston Road, reported attempts to contact City Manager Jackson regarding parking problems related to GMC. He indicated that he had worked with the community liaison officer to get Toyota to change and he requested that the lease not be approved until parking issues have been addressed.

Mayor Walker felt the City had the ability to deal with that issue without holding up the lease.

In response to an inquiry from Mr. Bruechle about a firm date on when issues would be resolved, City Manager Jackson indicated that it was an enforcement issue. He noted that the City would continue to encourage the dealerships to consider the neighborhood and he was not sure whether the language of the contract would resolve the problem, but he assured Mr. Bruechle that he would continue to work to get needs of residents accommodated.

Councilmember Mauno noted that the issue had come up at the Planning Commission many times and he suggested that when GMC comes in for Conditional Use Permits, language can be put in to restrict the issue. He added that often actual streets for test drives are specified and residential streets south of Pacific Coast Highway are never allowed.

MOTION: Councilmember Scotto moved to accept the staff recommendation as modified by the City Attorney. Councilmember McIntyre seconded the motion and a roll call vote reflected unanimous approval.

MOTION: Councilmember Scotto moved to concur with the agreement to terminate the lease. Councilmember McIntyre seconded the motion and a roll call vote reflected unanimous approval.

RESOLUTION NO. 2003-148

A RESOLUTION OF THE TORRANCE CITY COUNCIL DETERMINING CERTAIN CITY-OWNED PROPERTY NOT REQUIRED FOR CITY PURPOSES AND THAT LEASING THE PROPERTY IS IN THE PUBLIC INTEREST. 2909 AIRPORT DRIVE

MOTION: Councilmember Lieu moved to adopt Resolution No. 2003-148. Councilmember Nowatka seconded the motion and a roll call vote reflected unanimous approval.

MOTION: Councilmember Scotto moved to approve the lease by and between the City of Torrance and Argonaut Holdings. Councilmember McIntyre seconded the motion and a roll call vote reflected unanimous approval.

Councilmember Scotto asked that the address on the resolution be verified.

11c. ORDINANCE NO. 3546 RE TEMPORARY MORATORIUM ON WIRELESS COMMUNICATIONS FACILITIES INSTALLATIONS

Recommendation of the Community Development Director that City Council adopt an interim Ordinance as an urgency measure, establishing a temporary moratorium on the installation of wireless communications facilities throughout the City ("Temporary Moratorium Ordinance" or "TMO"). If adopted, the TMO will take effect immediately upon its passage, and will remain in effect for 45 days, unless prior to the expiration of that time period the City Council elects under Government Code Section 65858 to extend the moratorium period for up to an additional 10 months and 15 days.

The Community Development Director further recommends that City Council approve an Ordinance Summary for publication.

Michael Shonafelt, Sprint PCS, 18101 Van Karmen, Irvine, Attorney for Sprint PCS reported that the moratorium ordinance would directly impact the two applications that they have pending with the City. The ordinance would implicate several provisions of Federal Telecommunications Act of 1996 as well as State Law, specifically section 7901 of the California Public Utilities Code. He indicated that local jurisdictions are not allowed to prohibit wireless telecommucations service and asserted that the ordinance would discriminate against Sprint as other providers have been able to deploy their wireless networks in the City of Torrance.

Mr. Shonafelt further objected to the ordinance noting that the moratoruim would constitute an unreasonable amount of time for taking action on the applications and he submitted that the moratorium was an unreasonable regulation of public right of way. He asked that the City recognize that Sprint is entitled to action on its two pending applications under the prior ordinance and requested the opportunity to provide further explanation as to Sprint's legal postions in writing.

Jeff Melching, Rutan & Tucker, 611 Anton Blvd. Costa Mesa, the City's Counsel for Telecommunications matters indicated that the ordinance constituted a 45 day moratorium, which does not bar processing, just approvals. He explained that the City received a steady stream of applications for wireless communications facilities, often resulting in tall, unsightly facilites. The moratorium would provide an opportunity for the City to recraft the ordinance which needs to be revised given the recent changes in the law and Federal Telecommunications Act to allow more control of location, design and appearance of these facilities with a 45-day moratorium the first step to address changing technologies.

Mr. Melching indicated that during the moratorium, staff would hold a workshop and solicit public input to design an ordinance and it could be necessary to extend the moratorium and at that time, staff would identify locations in the City to pull out of the ordinance. He stated that it was important to note that the moratorium had exemptions for residential facilities, emergency services, and facilities already exempt under Federal law.

Mr. Melching reported that a 6 month moratorium had been upheld in the past and the City felt comfortable that the ordinance was in accordance with law.

Leslie Daigel, AT&T Wireless, 1111 Bayside Drive, Corona Del Mar, commented that as a result of increased traffic and government mandates, existing facilities need to be upgraded and the moratorium would put a stop to necessary improvements to their network. She indicated that they had many elderly subscribers and others who rely solely on cell phones, and she expressed concerns that the moratorium would be extended. Ms. Daigel observed that the City was not getting a percentage of the revenue and suggested working together to have the City be part of the process.

Steve Bruechle, 25222 Weston Road, asserted that there should be a tight ordinance to prevent urban blight.

In response to an inquiry from Councilmember Lieu, City Manager Jackson indicated that processing applications takes a couple of weeks and reiterated that processing would continue but approval would be delayed.

In response to an inquiry from Councilmember Scotto, Deputy City Attorney Sullivan indicated that 3 or 4 applications were being held for approval and more that would like to begin the process.

In response to an inquiry from Councilmember Witkowsky, Planning Director Gibson explained that facilities are located on private property and their location is overseen by the Community Development Department. He noted that stealth technology is an attempt to blend the facilities in, that either screening is required to shield them from public view or they could be incorporated into buildings.

Mayor Walker called for a brief recess from 8:30 p.m. to 8:43 p.m.

In response to an inquiry from Councilmember Scotto, Planning Director Gibson indicated that an ordinance could be drafted in 30 days and ordinances from other cities would be investigated. Councilmember Scotto asked that the ordinance be completed within 60 days.

Mayor Walker asserted that it was not unreasonable to enact the moratorium.

MOTION: Councilmember Scotto moved to concur with staff recommendation. Councilmember Witkowsky seconded the motion and a roll call vote reflected unanimous approval.

ORDINANCE NO. 3546

**AN INTERIM ZONING ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF TORRANCE ADOPTED AS AN URGENCY
MEASURE ESTABLISHING A TEMPORARY MORATORIUM ON
INSTALLATION OF WIRELESS COMMUNICATIONS FACILITIES**

MOTION: Councilmember Lieu moved to adopt Ordinance No. 3546. Councilmember Scotto seconded the motion and a roll call vote reflected unanimous approval.

11d. MARCH 2, 2004 GENERAL MUNICIPAL ELECTION

Recommendation of the City Clerk that the City Council:

- 1) Adopt a Resolution calling a General Municipal Election on Tuesday, March 2, 2004 for the purpose of electing three Councilmembers;
- 2) Adopt a Resolution requesting Los Angeles County Board of Supervisors to agree to consolidate the election; and
- 3) Adopt a Resolution stating policy for candidate statements.

City Clerk Herbers noted that the City Charter called for elections to be held in even numbered years and that it again required consolidation with the Los Angeles County Registrar on the with statewide presidential primary ballot and that permission is needed from the Los Angeles County Board of Supervisors in order to do that.

She stated that in the past the candidates were limited to a 200 word statement at a cost of no more than \$300 to have their statements printed in the ballot. In response to an inquiry from Mayor Walker, City Clerk Herbers indicated \$130,000 is budgeted for the entire election; that the Los Angeles County estimates election costs at \$97,000 with some additional totaling for printing and assisting the L.A. County Registrar with facilities for poll worker training. In response to an inquiry from Mayor Walker, she stated that the charge to candidates for printing their statement is very close to the actual costs charged by the County.

MOTION: Councilmember Witkowsky moved to concur with the staff recommendation. Councilmember Scotto seconded the motion and a roll call vote reflected unanimous approval.

RESOLUTION NO. 2003-149

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE THAT A GENERAL ELECTION BE HELD ON TUESDAY, MARCH 4, 2004 FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE CHARTER OF THE CITY OF TORRANCE.

MOTION: Councilmember Lieu moved to adopt Resolution No. 2003-149. Councilmember Nowatka seconded the motion and a roll call vote reflected unanimous approval.

RESOLUTION NO. 2003-150

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON MARCH 2, 2004 WITH THE STATEWIDE PRIMARY ELECTION TO BE HELD ON THE SAME DATE PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE

MOTION: Councilmember Lieu moved to adopt Resolution No. 2003-150. Councilmember Nowatka seconded the motion and a roll call vote reflected unanimous approval.

RESOLUTION NO. 2003-151

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES

**STATEMENTS SUBMITTED TO THE VOTERS AT AN
ELECTION TO BE HELD ON TUESDAY, MARCH 2, 2004**

MOTION: Councilmember Lieu moved to adopt Resolution No. 2003-151. Councilmember Nowatka seconded the motion and a roll call vote reflected unanimous approval.

**11e. RESOLUTION NO. 2003-152 - TORRANCE MUNICIPAL EMPLOYEES
AFSCME LOCAL 1117 MOU RE 2003-2004**

Recommendation of the City Manager that City Council approve a Resolution amending the 2003-2004 Memorandum of Understanding for the Torrance Municipal Employees AFSCME-Local 1117.

Assistant to the City Manager Keane explained that the resolutions served to correct the pay grid and language regarding health insurance for the city's custodians and senior custodians.

Alan Lee, AFSCME Local 1117 thanked the City Council for correcting the error in a timely manner.

MOTION: Councilmember McIntyre moved to concur with the staff recommendation. Councilmember Nowatka seconded the motion and a roll call vote reflected unanimous approval.

RESOLUTION NO. 2003-152

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
TORRANCE AMENDING RESOLUTION NO. 2003-99 SETTING
FORTH CHANGES REGARDING WAGES, HOURS, AND
WORKING CONDITIONS FOR EMPLOYEES REPRESENTED BY
THE TORRANCE MUNICIPAL EMPLOYEES – AFSCME, LOCAL
1117**

MOTION: Councilmember Lieu moved to adopt Resolution No. 2003-152. Councilmember Nowatka seconded the motion and a roll call vote reflected unanimous approval.

11f. TORRANCE FIRE FIGHTERS ASSOCIATION MEMORANDUM OF INTENT

Recommendation of the City Manager that the City Council concur in principle with a Memorandum of Intent for the Torrance Fire Fighters Association

Assistant to the City Manager Keane indicated that they intended to return in two weeks with a full memorandum of understanding.

MOTION: Councilmember Scotto moved to concur with staff recommendation. Councilmember McIntyre seconded the motion and a roll call vote reflected unanimous approval.

12. HEARINGS

**12a. ORDINANCE AND RESOLUTIONS RE 1780-1922 OAK STREET AND 2367
JEFFERSON STREET**

Recommendation of the Planning Commission and the Community Development Director that City Council deny the appeal and take the following actions on property located at 1780-1922 Oak Street and 2367 Jefferson Street:

- 1) Adopt a Mitigated Negative Declaration (EAS03-00012);
- 2) Adopt an Ordinance approving a Zone Change (ZON03-00008) from M2 Heavy Manufacturing District to PD Planned Development;
- 3) Adopt Resolutions approving a General Plan Amendment (GPA03-00008) from Business Park to Medium Density Residential, a Planned Development Permit (PD03-00002) to establish development standards for the residential project, a Conditional Use Permit (CUP03-00034) to allow the construction of a 217-townhome and 59-unit senior condominium development, a Tentative Tract Map (TTM54266) for condominium purposes and to allow the consolidation of four parcels into two parcels and a Lot Line Adjustment to allow the common property line between the parcels located at 2341 and 2367 Jefferson Street to be shifted approximately 160 feet to the west, and a Waiver (WAV03-00014) to allow the construction of an over-height perimeter wall;
- 4) Approve an Ordinance Summary for publication.

EAS03-00012, ZON03-00008, PD03-00002, GPA03-00008, PD03-00002, CUP03-00034, TTM54266, WAV03-00014: Standard Pacific Homes (Tom Paradise)

The applicant requested a continuance of this item to the City Council meeting of October 28, 2003 to allow the applicant additional time to meet with the adjacent property owners and staff did not object to the request.

In response to an inquiry from Mayor Walker, City Attorney Fellows noted that the City Manager had requested that item 12a be continued. Planning Director Gibson suggested the item be considered on October 28, 2003 as the applicant requests additional time for public outreach.

MOTION: Councilmember Scotto moved to concur with the recommendation for a continuance of item 12a. Councilmember McIntyre seconded the motion and a roll call vote reflected unanimous approval.

15. SECOND READING ORDINANCES

15a. ORDINANCE NO. 3544 RE 2829 MARICOPA STREET

Second and Final Reading of Ordinance 3544 amending Division 9 of the Torrance Municipal Code to reclassify certain property located at 2829 Maricopa Street from M-2 (Heavy Manufacturing District) and P-1 (Planting and Parking District) to P-D (Planned Development District).

ORDINANCE NO. 3544

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING DIVISION 9 OF THE TORRANCE MUNICIPAL CODE TO RECLASSIFY CERTAIN PROPERTY LOCATED AT 2829 MARICOPA STREET FROM M-2 (HEAVY MANUFACTURING DISTRICT) AND P-1 (PLANTING AND PARKING DISTRICT) TO P-D (PLANNED DEVELOPMENT DISTRICT)

ZON 03-00003: CITY OF TORRANCE

MOTION: Councilmember Lieu moved to adopt Ordinance No. 3544. Councilmember Nowatka seconded the motion and a roll call vote reflected unanimous approval.

15b. ORDINANCE NO 3545 RE MARICOPA PROPERTIES, L.P.

Second and Final Reading of Ordinance 3545 authorizing the execution of a Development Agreement by and between the City of Torrance and Maricopa Properties, L.P. relating to real property located at 2829 Maricopa Street.

ORDINANCE NO. 3545

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING THE EXECUTION OF A DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF TORRANCE AND MARICOPA PROPERTIES, L.P. RELATING TO REAL PROPERTY LOCATED AT 2829 MARICOPA STREET
MIS 03-00231: MARICOPA PROPERTIES/CHERYL VARGO**

MOTION: Councilmember Lieu moved to adopt Ordinance No. 3545. Councilmember Nowatka seconded the motion and a roll call vote reflected unanimous approval.

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The Torrance Redevelopment Agency met from 8:55 p.m. to 8:58 p.m.

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16. ORAL COMMUNICATIONS

16a. City Attorney Fellows indicated that staff would come back with a comprehensive ordinance and would release the moratorium on wireless communications facilities as soon as possible.

16b. Councilmember Lieu noted his attendance at a forum for school district candidates and he encouraged everyone to attend additional forums and to vote November 4. He noted that additional information could be found through a link to the school district website on the city's website, www.tornet.com.

16c. Councilmember Lieu stated that he was honored to attend a presentation by four Chinese American dance groups at the Torrance Cultural Arts center.

16d. Councilmember Mauno stated that at his meeting with the Los Angeles County West Vector Control District that there was one reported case of the West Nile virus in Los Angeles and that the mosquito dies in cool weather but they expect an increase in the spring.

16e. Councilmember McIntyre reported attending the Candidates for School Board Forum and encouraged attendance of the forums as a part of ones civic duty.

16f. Councilmember Nowatka also noted his attendance the Chinese School Dance and Costume presentation at the Armstrong Theatre.

16g. Councilmember Nowatka thanked the Torrance Library for presenting a Louis Zamperini book signing event.

16h. Councilmember Witkowsky offered condolences to Cultural Arts Commissioner Mary Miller on the loss of her husband.

16i. Mayor Walker expressed concerns about school board candidate Joe Mendez and indicated that rather than endorsing Mr. Mendez, as he has been asked to do, he would request that Mr. Mendez withdraw from the race entirely. At Mayor Walker's request, City Attorney Fellows agreed to research the situation regarding voter registrations.

16j. Bob Delvecchio, Torrance Skate Association, expressed a willingness to move forward in discussions with the City and indicated that members of the Board of Directors were present. Mayor Walker noted that the item would be on the agenda next week and Mr. Delvecchio agreed that would be a more appropriate time to discuss the matter.

17. **EXECUTIVE SESSION**

Considered earlier in the meeting.

18. **ADJOURNMENT**

At 9:12 p.m., the meeting was adjourned to Tuesday, October 21, 2003 at 5:30 p.m., for an executive session in the Council Chamber, with the regular meeting commencing at 7:00 p.m. in Council Chambers.

Attest:

/s/ Dan Walker

Mayor of the City of Torrance

/s/ Sue Herbers

Sue Herbers, CMC
City Clerk of the City of Torrance

Approved on January 6, 2004