

**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 6:30 p.m. on Tuesday, February 11, 2003, in City Council Chambers at Torrance City Hall.

ROLL CALL

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

Absent: None

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

Absent: None

Agenda Item 17 was considered out of order at this time.

17. EXECUTIVE SESSION

The Council immediately recessed to closed session to confer with the City Manager and the City Attorney on agenda matters listed under 17a) Conference with Legal Counsel – Existing Litigation, and 17b) Real Property – Conference with Real Property Negotiator, pursuant to California Government Code Sections 54956.9(a) and 54956.8.

The Council reconvened in Council Chambers at 7:00 p.m.

2. FLAG SALUTE/INVOCATION

Councilmember Lieu led the Pledge of Allegiance.

City Clerk Herbers gave the invocation for the meeting.

3. REPORT ON THE POSTING OF THE AGENDA.

MOTION: Councilmember Lieu 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 Nowatka, and passed by unanimous roll call vote.

MOTION: Councilmember Lieu 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 Nowatka and passed by unanimous roll call vote.

4. WITHDRAWN OR DEFERRED ITEMS.

None.

5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS.

Councilmember Scotto announced the Finance and Governmental Operation Committee would meet on February 18 in the City Council Chambers at 4:30 p.m.

City Clerk Herbers announced two vacancies, one on the Civil Service Commission and one on the Environmental and Energy Conservation Commission and that the City Clerks' office was accepting applications through Wednesday, February 19, with the appointments being made by the City Council at the meeting of February 25. She invited any and all registered voters of the City of Torrance to apply, noting information could be found on the website, or by calling the City Clerk's office at 618-2870.

ADJOURNMENT IN MEMORY OF KENNETH "JIM" BUTZIRUS AND CHARLES "CHUCK" SCIPIO.

Mayor Walker asked that the meeting be adjourned in memory of Kenneth "Jim" Butzirus, a 51-year resident of Torrance, who passed away on Friday, January 17, 2003. Jim and his wife Joanne were members of the Dog Obedience Club of Torrance since 1970 who trained over 7,000 dogs. Jim is survived by his wife Joanne and son Rick Jacoby. A private memorial service was held. At the request of the family, trees will be planted at Walteria Park in Jim's memory.

Mayor Walker also asked that the City Council adjourn in memory of Charles "Chuck" Scipio, a retired Torrance Transit Bus Operator from 1981 to 1996 who passed away on Wednesday, January 29, 2003. He stated that Chuck continued to work with Torrance Transit as a consultant after retiring and will be remembered for his great personality, good driving record and the respect his fellow workers felt for him. Survivors include his wife Julia, five sons, five daughters and 16 grandchildren.

7. CONSENT CALENDAR

7a. APPROVAL OF MINUTES OF DECEMBER 17, 2002 AND JANUARY 7, 2003.

7b. SUBLEASE BY M. L. APARTMENTS, LLC, 3445 PACIFIC COAST HIGHWAY, TO HICHAM SIOUTY, M.S.

Recommendation:

Recommendation of the Land Management Team that City Council:

- 1) Approve request to sublease by M. L. Apartments, LLC, 3445 Pacific Coast Highway, to Hicham Siouty, M.S., a Professional Corporation; and
- 2) Approve use and size of space proposed to be occupied by Hicham Siouty, M.S., a Professional Corporation.

7c. PURCHASE ORDER TO DC DANCO FOR BENSTEAD PLUNGE BOILER REPLACEMENT

Recommendation:

Recommendation of the General Services Director that City Council:

- 1) Authorize a purchase order to DC Danco of Carson, CA for the Benstead Plunge boiler replacement (FEAP #384) for \$20,325;
- 2) Authorize a five percent contingency of \$1,016; and
- 3) Appropriate \$21,341 from the Building Maintenance Capital Project Fund.

7d. AMENDMENT TO AGREEMENT WITH TETRA TECH, INC.

Recommendation:

Recommendation of the Engineering Director that City Council:

- 1) Approve an amendment to the existing professional consulting services agreement with Tetra Tech, Inc. C2002-050, for professional consulting services for design of

- Large Meter Replacement Design (I-15), and Water Main Replacement Program (I-23) to extend the contract term through August 28, 2003; and
- 2) Authorize the Mayor to execute and the City Clerk to attest to this agreement.

MOTION: Councilmember Nowatka moved for the approval of Consent Calendar Items 7a through 7d. The motion was seconded by Councilmember McIntyre and passed by unanimous roll call vote

11. ADMINISTRATIVE MATTERS

11a. CONTINUE THE STATE AND LOCAL EMERGENCY, - CAROLWOOD LANE AND SINGINGWOOD DRIVE.

Recommendation:

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 Lane and Singingwood Drive.

Responding to Councilmember Witkowsky, Building & Safety Director Isomoto stated that staff has gone out to the site and that there was some repair work being done, and was that they were trying to complete some concrete work before they covered it again. He also stated that staff would go out every day it rained to make sure the plastic is still in order and to make sure the winds had not blown anything away.

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

12. HEARINGS

12a. APPEAL OF A MINOR HILLSIDE EXEMPTION (MIS02-00179) ON PROPERTY LOCATED IN THE R-1 ZONE IN THE HILLSIDE OVERLAY DISTRICT AT 5214 CALLE MAYOR.

Mayor Walker opened the public hearing at 7:18 p.m. with Planning Manager Isomoto making a brief presentation from the material of record.

Doug Arneson, 5214 Calle Mayor, stated that he was building an addition to the back of his house to have workshop to build some projects with tools that his father had left him when he passed away. He noted that he had a problem with the Planning Commission's additional condition regarding the pitch of the roof.

Responding to Councilmember Witkowsky who had stated that she had been to Mr. Arneson's house and questioned the need for another garage door on the workshop versus a regular door, Mr. Arneson noted that he planned to build large wood furniture pieces.

Councilmember Witkowsky questioned the logic of the steps out of the back wall with Mr. Arneson responding that it was to keep it 10 feet off the back property line.

Councilmember Witkowsky asked if the last step closest to the wall could be eliminated with Mr. Arneson replying that the reason for the step is that it leads to a bathroom and that he is planning to place a 40 year old shuffleboard along the wall as the addition was to be a game room / workshop.

Mayor Walker questioned how the pitch of the roof could be construed to be any problem as the pitch of roof on the addition is so insignificant to the total overview of the house and that he could not imagine that anyone would even see it.

Mr. Arneson stated that it would make it look less like an addition.

Responding to Mayor Walker's questioning regarding acceptance of Condition #4 - that there shall be no storage containers, exterior storage racks or plumbing materials or supplies kept on the property, or warehouse or workshop – and more specifically no plumbing materials in the garage, Mr. Arneson replied that he would not have any plumbing materials in the garage.

Mayor Walker clarified that there was a requirement that the applicant must have the ability to physically place a car in the garage of the present house.

Mr. Arneson stated that he planned on putting tools in the back garage.

Mayor Walker commented on the warehouse like methods where everything was very efficiently stored in the garage as he drove by the location over the weekend. He asked again if Mr. Arneson had a very clear understanding that vehicles will be parked in the garage if approved as it appears the law is currently being violated. Mr. Arneson replied in the affirmative.

Jess Negrete, architect for the project, stated that the existing bedroom, was currently a 5 and 12 pitch and that if it is going to be extended out as you go into the workshop there is a need to the same pitch should be maintained to keep an architectural harmony by keeping the same fascia with the same pitch. He stated that a California Frame doesn't work if using the 3 and 12 pitch.

Mayor Walker noted that he had difficulty with architectural harmony that no one could see.

Mr. Negrete explained that those using the back yard as well as the front would see it and that he was trying to avoid not looking like a mistake. He stated that it is a very difficult thing to show but that he believed that if done as requested it would be a mistake and asked that the condition be removed. He stated that they have no problem with the rest of the conditions.

Planning Manager Isomoto stated that she had had several conversations with Mr. Negrete on this issue and that it was the staff's intent to work with the applicant in some fashion to minimize the appearance of bulk of the roof to the adjacent properties. She noted her understanding that this condition could be met by lowering the pitch to 3 and 12, but it would not be as esthetically pleasing as leaving it at 5 and 12. She noted that she believed that one method would be to keep the 5 and 12 for the bedroom portion and lower the height of the workshop portion, which is the closest to the neighbors and would give the appearance of the height that they were trying to reduce. There may be another way to lower the height of that portion without changing the pitch of the roof and staff would certainly like to opportunity work with him on that and the condition is worded to "reduce the pitch from 5 and 12 to 3 and 12 or to the satisfaction of the Planning Director" in order to give some leeway to come up with a solution.

Planning Manager Isomoto responded to Councilmember Witkowsky's concerns about the possible loss of view and bulk by stating that the bulk of roof was addressed in

the conditions to lower the roof and that the staff recommendation did not address view blockage because they did not feel there was significant view blockage on this property.

Responding to Councilmember Scotto, Planning Manager Isomoto estimated that just over a foot of height would be lost or reduced at the 3 and 12 pitch. She deferred the question on the amount of square footage that would be lost by adding on to the north part of the workshop to the architect.

Louis Teuchert, 5143 Newton Street, the appellant and a resident for over 48 years submitted materials for the City Council to review. He rebutted the statement that the proposed addition would not have an adverse impact on the view by referring to photos submitted showing the view to be lost. He stated that he felt the design would have a harmful impact of land values an investment of other properties in the vicinity because etc. referring to analysis by Naomi of ReMax (view is worth \$40,000) and Melinda of Moore & Associates (view is worth \$25,000).

Mr. Teuchert then noted that in "Line B of Section 91414 of Torrance Municipal Code B, applicant shall have the burden of proving that all the requirements of this article have been met" and that he felt that has not happened. He then referred to "Item "C" the design provides an orderly and attractive development in harmony with other properties in the vicinity" stating his contention that the rear portion of the addition will be ugly beyond belief with five corners and seven surfaces and a hodgepodge arrangement.

He referred to "Line 4, of 02101, there shall be no storage containers exterior racks, or plumbing materials or supplies kept on property or warehouse in the workshop" noting that previously Mr. Arneson had been told by the Planning Commission that all materials used in his General Contracting business would have to be removed before a building permit would be used and that he has not complied there are still materials all over the place although not as much before.

Mr. Teuchert noted that Mr. Arneson has not complied with "City Code Section 7432 install a street tree every 50 feet of the width of the lot" and that he appears to be out of compliance with the sight and rear setback requirements

He disputed the statement where the "Planning Director has the determined that the proposed development will not have an adverse affect on other properties and the vicinity and there is no significant pubic controversy thereof" as 18 residents had signed a petition against vs. 2 supporting Mr. Arneson. He noted that the fought for over one year to get Mr. Arneson to comply with zoning ordinances.

Mayor Walker stated that they had addressed the issue with one of the conditions if this is passed, the City will have greater teeth than at present. He noted that Mr. Arneson had agreed that condition and guaranteed that the City Attorney's office and noted that Mr. Teuchert would be very vigilant making sure that there are no violations, if in fact, the exemption was passed.

Mr. Teuchert suggested that a two-story addition over the original foundation would not take anyone's view away and would give Mr. Arneson a view to the south and east with a room for a very large master bedroom with walk-in closets and a full bath, plus two more large bedrooms as well as retaining a large yard and room to park his family's many vehicles off the street. He could then be able to use the garage for his workshop and have a shuffleboard court out back. When he has an empty nest and might want to

sell, and downsize, or even go upscale, the return on his investment would be much greater than with his present plan.

June Teuchert, Torrance, stated that she was upset. She stated that she lays on the couch every night watching the lights and watching the airplanes go up and that with Mr. Arneson's hobby room addition she will be looking at an ugly, gray building with no view. She asked the City Council to deny the project.

Ed Schmolder, Newton Street, stated that he had no objection to the bedroom, as that was something he (Arneson) could really use and that he would have a minimal loss of view to the west. He stated that if Mr. Arneson is to build large furniture that there may be considerable noise impact from power saws and other tools that might interfere with the room where he entertains. He asked that sound proofing conditions to be added.

Mayor Walker noted that Mr. Schmolder brought up a good point. Planning Manager Isomoto noted that no windows were shown on the side facing the neighbors and that there is a high window in the outer room facing the rear of the property.

Arthur Fluerd (sp.) son of Ed Schmolder, asked the City Council to consider the restricted view that would result as a result of this construction with respect to the west, north west area of the back door and along their fence line property. He stated that he first heard about a game room only tonight and that he had thought this was to be only a workshop and added his concerns about the noise level in the area of the backyard.

MOTION: Councilmember Mauno moved to close the public hearing at 7:46 p.m. The motion was seconded by Councilmember Scotto and passed by unanimous roll call vote.

Councilwoman McIntyre stated that she was very impressed by the noise insulation argument and would like it to be considered

Responding to Councilwoman McIntyre's concerns on the pitch of the roof, Planning Manager Isomoto stated that the condition as currently worded allows some flexibility and that she felt comfortable that staff could work with the applicant.

Councilwoman Witkowsky stated her preference that as a small concession the back step wall would be cut to the next step down, that they would at least have the view for half of the window where the wife sits on the couch so that there would be a win-win situation.

Mayor Walker commented that on his visits that he had spoken with some very nice people, with very genuine concerns, but that with a recommendation from the Planning Director, a unanimous recommendation from the Planning Commission, additional conditions and with the addition of the insulation he felt that the concerns of many were handled. He noted that he did not think there was anything that was going to satisfy some of the people who are objecting to the project other than not building in that particular area. He noted that his real concern as well as the concern of the neighborhood, is with running a business out of the location or the appearance of running a business out of the location and the proper utilization of the garage area. He stated that the condition discussed earlier with the applicant will solve that concern and it was a project, that when all is said and done, is acceptable under all guidelines.

Councilman Mauno commented that on the option of the two-story that he had learned from past experience that what might not impact someone close by, might have a dramatic impact on someone a block or two away and that by trying to keep it on the grade, a first-floor project would always be a first option.

MOTION: Councilmember Scotto moved to deny the appeal and approve the Minor Hillside Exemption amending Condition No. 8 to add additional soundproofing for the workshop to the satisfaction of staff. The motion was seconded by Councilmember McIntyre and passed by unanimous roll call vote.

RESOLUTION NUMBER 2003-15

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A MINOR HILLSIDE EXEMPTION (MIS02-00179) TO ALLOW THE CONSTRUCTION OF A FIRST STORY ADDITION TO AN EXISTING RESIDENCE ON PROPERTY LOCATED IN THE HILLSIDE OVERLAY DISTRICT IN THE R-1 ZONE AT 5214 CALLE MAYOR AS AMENDED **MIS02-00179: DOUG ARNESON.**

MOTION: Councilmember Witkowsky moved to adopt Resolution 2003-15 with an amended Condition No. 8 adding additional soundproofing for the workshop. The motion was seconded by Councilmember McIntyre and passed by unanimous roll call vote.

12b. DEVELOPMENT OF A PARK ON PROPERTY LOCATED 22520 OCEAN AVENUE.

RECOMMENDATION:

Recommendation of the **Planning Commission** and the **Planning Director** that City Council:

- 1) Adopt a Negative Declaration (EAS02-00007);
- 2) Adopt a **RESOLUTION** approving General Plan Amendment (GPA02-00002) from Medium Density Residential to Public/Quasi-Public/Open Space;
- 3) Adopt an **ORDINANCE** approving a Zone Change (ZON02-00004) from R-3 (Limited Multiple-Family Residential District) to P-U (Public Use); and
- 4) Approve an Ordinance Summary for publication, in conjunction with the development of a park on property located at 22520 Ocean Avenue.

GPA02-00002, ZON02-00004 (EAS02-00007): CITY OF TORRANCE

Mayor Walker opened the Public hearing at 7:09 p.m. and verified with City Clerk Herbers that the matter had been properly advertised.

Planning Manager Isomoto stated that presentation was prepared should the City Council wish one. Mayor Walker declined and asked for questions from City Council.

Responding to Councilmember Scotto, Parks & Recreation Director Barnett indicated that funding to develop the park has been identified and set aside as part of the five-year capital budget. He noted that as the area is less than ½ acre in size there will be children's play equipment and will serve the needs of the immediate community including the disabled.

Mayor Walker emphasized that the park should be accessible to wheelchairs and elderly to serve the needs of the immediate community abutting the area. Parks & Recreation Director Barnett noted that those needs had been taken into account in the planning.

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

MOTION: Councilmember Scotto moved to adopt a Negative Declaration. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote.

City Clerk Herbers read the number and title of the Resolution.

RESOLUTION NUMBER 2003-16.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A GENERAL PLAN AMENDMENT AS PROVIDED FOR DIVISION 9, CHAPTER 2, ARTICLE 34 OF THE TORRANCE MUNICIPAL CODE TO CHANGE FROM THE GENERAL PLAN LAND USE DESIGNATION FROM MEDIUM DENSITY RESIDENTIAL TO PUBLIC/QUASI-PUBLIC OPEN SPACE FOR PROPERTY LOCATED IN THE R-3 ZONE. (CHANGE OF ZONE TO P-U PENDING) AT 2250 OCEAN AVENUE
GPA02-00002 CITY OF TORRANCE.

MOTION: Councilmember Witkowsky moved to adopt Resolution 2003-16. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote.

City Clerk Herbers gave a number to and read the title to the ordinance.

ORDINANCE NUMBER 3530

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, AMENDING DIVISION 9 OF THE TORRANCE MUNICIPAL CODE TO RECLASSIFY CERTAIN PROPERTY LOCATED AT 22520 OCEAN AVENUE FROM R-3 LIMITED MULTIPLE-FAMILY RESIDENTIAL DISTRICT TO PU PUBLIC USE DISTRICT. **ZON02-00004 CITY OF TORRANCE.**

MOTION: Councilmember Witkowsky moved to adopt Ordinance 3530. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote.

MOTION: Councilmember Scotto moved to approve an ordinance summary for publication. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote.

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City Council resumed the Redevelopment Agency meeting between 8:02 p.m. to 8:03 p.m.

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ORAL COMMUNICATIONS

Councilmember Lieu stated that visitors from Kashiwa Japan including the Mayor recently visited Torrance and he commended the Torrance Sister City Association for the warm welcome and their hosting. He noted that he had had an opportunity to speak with the Kashiwa Planning Director on two occasions and that he had complimented the City by wishing that Kashiwa could look more like Torrance.

Councilmember Mauno noted that each one would undoubtedly comment about last weeks Sister City experiences. He commented that Torrance is fortunate to have such a wonderful partnership with the folks from Kashiwa Japan and that he was part of the delegation in October, had met some very nice, charming people, made some friendships and it was truly a nice to see them. They noted that the group included a whole entourage of performers that made a presentation at the James Armstrong Theater of Japanese customs that was truly a learning experience. He also commended the Torrance Sister City Association and complimented Hazel and the members as well as the City staff who worked tirelessly. He stated that it was very sad to see friends leave, but that we would see them again years to come I hope.

Councilmember McIntyre tagged on to what has already been said stating that a good time was had by a lot of people through the careful planning and presentation of not only our own staff here, but Hazel Taniguchi, Ray Roulette, Suzie Wand, and others. She commented that she has hosted students and leaders from the City of Kashiwa on three occasions and it has been a very heart warming experience to have them in her home. She stated that it is wonderful to see that people from disparate cultures can actually get along so well she urged more people to join in the effort, not only through membership, but to consider hosting students. She also noted the benefits for our students who have the opportunity, through an application process, to the Sister City of going to Kashiwa.

Councilmember Nowatka noting that everything had been said, again extended congratulations for all the efforts and made a special commendation to Suzie Wand for her marvelous work and to Hazel Taniguchi for putting that together. He reminded everyone that Bunka Sai, the fund-raiser that assists the program would be soon hoped the community would support it.

Councilmember Scotto also congratulated the Sister City Association for doing such a fantastic job on everything from the Western Night on Friday night, all the way to dinner Sunday night, which was well done. He noted that one of the highlights was the people visiting his home on Saturday and he extended thanks to Councilman Nowatka and his wife for attending as well. The guests enjoyed the conversation and learned a lot about the City and they were very impressed with the City of Torrance. He noted his guests felt that our City was very clean and they were very impressed with everything that is going on.

Councilmember Witkowsky noting that she had gone to Japan in October, stated that the most fun was having them come to her home for lunch as they wanted to see an American home and commented on the size differences between their homes. She stated that the days went by very quickly and that everyone was kept very busy. She noted that the Kashiwa's International Relations Committee had they given the Torrance Sister City Association a cotton candy machine to be used at Bunka Sai.

Councilmember Witkowsky asked the City Manager for information on contingency plans for the City of Torrance if the Carson Animal Shelter closed

Councilmember Witkowsky asked for concurrence of the Council to send a thank you letter from the Council to all the Legislators that supported the VLF

Councilmember Witkowsky reminded the public that there are still three astronauts, one Russian astronaut and two American astronauts in a space station doing research on behalf of humankind since November. She asked that all pray for their safe return since our space program has been put on hold for a while.

Mayor Walker stated that everyone had said about everything possible with regards to Kashiwa noting that it was an enjoyable and thrilling event that was fun for all, and he hoped that their time here matched our time there.

Mayor Walker made the following statement
"The question has kept coming up in my mind and that is, do we do everything we can to protect the children in this community? Too often, we see on TV and read of the repeat sexual predator committing the worse crimes. Our Police Department monitors registered sex offenders in Torrance. We take a very aggressive approach to protecting our community, but we can do more. Megan's Law gives us the information needed to identify those in our community who are the convicted sexual predators. It isn't enough for the Police to know who these people are, I want to enlist the help of the PTA, our Parks & Recreation employees, Neighborhood Watch, there should be a thousand eyes watching our school yards and playgrounds looking out for our children. I would like to ask our Council to direct staff to look into the development of a program of coordination between our Police Department, our PTA, our City and schools with the goal to involve the community in a full utilization of Megan's Law. The purpose is not to harass, the purpose is to protect our children. Through these cooperative efforts, we can make our City safer for the children of this community."

Mayor Walker asked for City Council concurrence to develop this program and the steps to implement it. There was no objection.

17. EXECUTIVE SESSION

Considered earlier in the meeting.

18. ADJOURNMENT

At 8:15 p.m., the meeting was adjourned to Tuesday, February 25, 2003, at 5:30 p.m. for an executive session, with the regular meeting commencing at 7:00 p.m. in the Council Chambers. Tuesday, February 18, 2003 would be a City Council dark night.

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**Adjourned in memory of
Kenneth "Jim" Butzirus
and
Charles "Chuck" Scipio**

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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 April 15, 2003