

**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 5:31 p.m. on Tuesday, May 20, 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.

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 Labor Negotiator; and 17b) Conference with Legal Counsel – Anticipated Litigation, pursuant to California Government Code Sections 54957.6 and 54956.9(b)(3)(B).

The Council reconvened in Council Chambers at 6:05 p.m.

2. FLAG SALUTE/INVOCATION

The Pledge of Allegiance was led by Councilmember McIntyre.

City Clerk Herbers gave the non-sectarian invocation for the meeting.

3. AFFIDAVIT OF POSTING/WAIVE FURTHER READING

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 Witkowsky, 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 Witkowsky and passed by unanimous roll call vote.

4. WITHDRAWN OR DEFERRED ITEMS

None.

5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS

Mayor Walker asked that the meeting be adjourned in memory of Bill Geissert, husband of former mayor Katy Geissert. City Manager Jackson shared remembrances of Mr. Geissert.

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The Redevelopment Agency was called to order in joint session with the City Council.

6. COMMUNITY MATTERS

6a. BUDGET WORKSHOP

Recommendation

Recommendation of the **City Manager** that City Council receive additional budget information requested at the May 13, 2003, budget workshop during the presentation of the City Manager's proposal to balance a projected \$12 million shortfall in the second year of the upcoming Fiscal Years 2003-2004 and 2004-2005 two-year budget cycle, ask questions of staff, receive input from the public, and give guidance to the City Manager in the preparation of the City Budget.

With the aid of slides, Finance Director Tsao updated the Council on the Governor's most recent State budget revisions (FY2003-04) and reviewed information requested at the last Budget Workshop, including the revised animal control program budget and details of the Public Works reorganization.

Councilmember Witkowsky asked about the possibility of reducing the number of at-will employees working as project managers in the Public Works Department, relating her understanding that the City will be delaying major construction projects and concentrating on maintenance due to the budget deficit. City Manager Jackson advised that there are major capital improvement projects scheduled over the next few years, including the Artesia Boulevard and Del Amo Boulevard projects, as well as water main replacements and sewer/storm drain construction, which will require project managers.

Referring to the revised Animal Control Budget, Councilmember Mauno questioned what would happen should the \$345,400 in revenues from dog licenses not be realized. Police Chief Herren indicated that the Police Department was concerned about this potential shortfall and that there was no contingency plan at this time.

Councilmember Mauno suggested that staff report back to the Council in six months on the status of dog license revenues. City Manager Jackson offered to highlight these revenues in the quarterly budget reports, commenting on the difficulty of accurately predicting what revenues will be in the first year of this program.

Mayor Walker stated that it was unrealistic to expect that the City would collect the same revenues from dog licenses in a mail campaign that the County collected by door-to-door canvassing; that he was convinced that there will be a shortfall of hundreds of thousands of dollars for the animal control program; and that he did not believe it was appropriate to institute a new program with unknown costs at a time when the City was cutting back on Parks and Recreation and other much needed programs. He indicated,

however, that he would support the budget as proposed because it was in the best interests of the City to finalize it and move forward.

Councilmember Scotto expressed support for moving forward with the City-run animal control program, stating that he believed it was likely that revenue estimates would be met, and commented on the possibility that the City could find itself in a favorable position a year from now should the County's charges for animal control services continue to escalate.

Councilmember Lieu stated that he was pleased that the City found a way to offset the \$3 million in cuts originally proposed for the Police and Fire departments and that the City would be maintaining its high level of public safety.

Mayor Walker invited comments from the audience.

Richard Lopez, 17904 Crenshaw Boulevard, a City custodian for 19 years, asked that the Council reconsider the proposal to eliminate one custodian and one senior custodian from the Police Department. He related his experience that using outside companies to perform custodial duties has not been satisfactory and that City custodians have had to correct problems created by them.

A senior custodian at the Police Department, name inaudible, urged the Council not to contract out custodial services at the Police Department. He explained that, unlike City custodians, contract janitors do not do detail work, set up meeting rooms, or respond to emergencies.

Mr. Richard Davis, 14603 Vermont, City custodian, voiced objections to the contracting out of custodial services, stating that contract janitors represent a security risk because they do not go through background checks and that they do sloppy work that often needs to be redone by City custodians.

City Manager Jackson clarified that the City was not proposing to employ contract janitors, but planned to scale down custodial services to offset cuts in public safety.

Alan Lee, representing Torrance Municipal Employees, stated that the City's custodial staff has already been downsized and cannot afford to be reduced any further. Submitting data to illustrate, he reported that from 1991 through 1999, City management received lucrative pay raises that far outstrip any raises given to other employees during that same period. He suggested that the \$7,000 allocated to each executive employee for management enhancement and training should be eliminated, as well as the \$3,000 allocated to the next level of management, because it is a waste of money. He urged the Council to consider the welfare of all employees and not just management.

Mr. Lee voiced his opinion that the Public Works reorganization would have a long-term negative impact on employees and residents. He reported that the Water Commission and Water Department employees oppose the reorganization; maintained that it was not consistent with the Strategic Plan; and urged the Council to take time to study all aspects of the reorganization outside of the budget process.

Tim Cummings, Vice President of Torrance Fire Fighters Association, reported that a firefighter, who is scheduled to be transferred from fire prevention to fire suppression due to budget cuts, will be facing a 16% reduction in pay. He explained that this firefighter was a paramedic before transferring to fire prevention eight years ago; that his paramedic license lapsed because he was not allowed to attend two hours per month of paramedic training; and requested that the firefighter be allowed to obtain a paramedic license so he can be reinstated in the position he held before the transfer. He asked that the Council direct management to meet and confer on this issue, and City Manager Jackson expressed his willingness to do so.

Don Merrill, computer operations technician in the Communication & Information Technology (CIT) Division, contended that the proposal to eliminate his position makes no sense because it calls for a higher paid IT specialist to take over job duties he currently performs as a lower paid operations technician. He stated that the proposal assumes that his position will be superfluous once VAX computers are gone, but VAX functions amount to less than 5% of his job duties.

City Manager Jackson stated that difficult choices had to be made in order to achieve a balanced budget; that each department was required to reduce its budget by 5%; that the deletion of Mr. Merrill's position was part of CIT's proposal; and that he did not believe any employees were superfluous, but given the requirement of achieving a balanced budget, these cuts were necessary. He noted that the Council had made an impressive commitment to balance the budget without lay-offs or reductions in pay and allowed for a transition period of up to three years to assist in the shifting of personnel.

Mayor Walker commented on the difficulty of eliminating \$12 million from an already conservative budget, while ensuring that public safety is maintained at the highest level. He stated that the proposed budget accomplishes this task, something very few communities in Southern California could do, and that while no one wants to raise rates, shift/eliminate positions, and consolidate departments, it was the Council's responsibility to make sure that the budget is balanced and the City continues to function. He expressed the hope that State budget problems will be resolved and economic conditions will improve so that the City will not be faced with another large deficit two years from now.

By a 7-0 straw vote (Scotto/Witkowsky) the Council concurred with the City Manager recommendation for the **Reallocation and Use of Internal Resources** as follows:

Retiring City debt	\$ 600,000
PERS Fresh Start	1,200,000
Use of Gas Tax funds for Street Maintenance	1,270,000
Elimination of General Fund Contribution for Capital	740,000
Transfer of Street Crew to Sewer Operations	200,000
Reduction of Parks subsidy	154,000
Reallocation of Indirect Cost	165,200
Charge rent to Water, Sewer and Sanitation	<u>400,000</u>
Total Savings Generated from Internal Transfers	\$4,739,200

By a 7-0 straw vote (Scotto/McIntyre) the Council concurred with the City Manager recommendation for **Department Reductions** in the amount of \$2.1 million (18.6 positions).

By a 7-0 straw vote (Scotto/McIntyre) the Council concurred with the City Manager recommendation for **Program Revisions** as follows:

Animal Control	
Expenditures:	\$374,239
Revenues:	<u>\$345,400</u>
Net:	\$ 28,839
NPDES Program	\$271,700
Conferences/Seminars to Library Book Budget	\$ 4,000

Commenting on her vote, Councilmember Witkowsky indicated that she would have voted against the Animal Control Program if this item had been considered separately.

By a 7-0 straw vote (Scotto/McIntyre) the Council concurred with the City Manager recommendation for **Organizational Efficiencies** of \$1.7 million (23 position reductions) involving the following departments:

- Civil Service/Human Resources
- Communication Information Technology
- Community Services
- Community Development
- Public Works

City Manager Jackson expressed appreciation to the Council and City staff for their efforts on the budget, with a special thanks to the Finance and the Fire departments for putting together fee schedules within a very short timeframe.

Councilmember Lieu stated that he reviewed both the City Engineer's and the City Manager's plan for the Public Works reorganization and that he voted for the City Manager's proposal because he believes it offers more advantages.

The Council recessed from 7:05 p.m. to 7:15 p.m.

6b. RESOLUTION NO. 2003-45 RE CHARLES J. MAGUIRE

RESOLUTION NO. 2003-45

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
TORRANCE HONORING CHARLES J. MAGUIRE
FOR HIS OUTSTANDING SERVICE AS MANAGER OF
THE EXXONMOBIL TORRANCE REFINERY

MOTION: Councilmember Nowatka moved for the adoption of Resolution No. 2003-45. The motion was seconded by Councilmember Scotto and passed by unanimous roll call vote.

Mayor Walker presented Resolution No. 2003-45 to Mr. Maguire, who accepted with appreciation.

6c. RECOGNITION OF PARTICIPANTS IN THE SISTER CITY EXCHANGE PROGRAM

Hazel Taniguchi, of the Sister City Association, introduced the following Torrance students participating in the Sister City Exchange Program: Hanson Boyd, West High School; Ruben Chanmugathas, Torrance High School; April Epperson, Torrance High School; Kavita Kapur, West High School; Marie Lam, West High School; Jennifer Millman, South High School; Kimberly Oye, North High School; Takashi Ueki, Torrance High School; and Vera Little, Adult Leader.

7. CONSENT CALENDAR

7a. PURCHASE ORDER RE PURCHASE OF FORD CROWN VICTORIA POLICE CARS

Recommendation

Recommendation of the **General Services Director** that City Council authorize a purchase order in the amount of \$283,981.96 to Wondries Fleet Group of Alhambra, CA, for the purchase of eleven (11) Ford Crown Victoria Police vehicles as a cooperative purchase with the County of Los Angeles.

7b. AGREEMENT RE OPERATION OF MAX COMMUTER SERVICE

Recommendation

Recommendation of the **Transit Director** that City Council authorize the Mayor to execute and the City Clerk to attest to agreement with Coach USA, Inc. to operate the Municipal Area Express (MAX) service, for two years, at a cost not-to-exceed \$1,640,819.86.

7c. AGREEMENT WITH GRACE BUILDING MAINTENANCE COMPANY RE CLEANING OF TRANSIT BUSES

Recommendation

Recommendation of the **Transit Director** that City Council authorize the Mayor to execute and the City Clerk to attest to an amendment to agreement C2002-106, with Grace Building Maintenance Company, Incorporated, extending the current contract for two-years, at a cost not-to-exceed \$62,088 per year.

7d. **CONSULTING SERVICES AGREEMENT RE MADRONA MARSH RESTORATION AND ENHANCEMENT PROJECT**

Recommendation

Recommendation of the **Parks and Recreation Director** and the **Engineering Director** that City Council:

- 1) Approve a consulting services agreement with Telluris, Inc. to provide water and soil testing at the Madrona Marsh Preserve and develop a technical report on these studies for an amount of \$42,891.80; and
- 2) Authorize the Mayor to execute and the City Clerk to attest to said agreement.

7e. **CHANGE ORDER RE CRENSHAW BOULEVARD IMPROVEMENT PROJECT**

Recommendation

Recommendation of the **Engineering Director** that City Council authorize a change order to public works agreement C2002-286 with All American Asphalt in an amount not-to-exceed \$45,000 for hardscape installation in conjunction with the Crenshaw Boulevard Improvement Project, Pacific Coast Highway to Skypark Drive, T-32.

7f. **CONFIRMATION OF RESOLUTION EFFECTIVE DATES**

Recommendation

Recommendation of the **City Clerk** that City Council confirm the effective date of July 1, 2003 for Resolution No. 2003-46 and Resolution No. 2003-47 adopted on May 13, 2003.

7g. **PURCHASE OF PROPERTY AND BOILER/MACHINERY INSURANCE**

Recommendation

Recommendation of the **Human Resources Director** that City Council:

- 1) Approve the purchase property insurance at an annual premium of \$121,930; and
- 2) Approve the purchase boiler and machinery insurance at an annual premium of \$7,235.

MOTION: Councilmember Lieu moved for the approval of Consent Calendar Items 7a through 7g. The motion was seconded by Commissioner Scotto and passed by unanimous roll call vote.

11. **ADMINISTRATIVE MATTERS**

11a. **CONTINUATION OF STATE OF LOCAL EMERGENCY RE CAROLWOOD/ 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 Drive and Singingwood Drive.

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

11b. RESOLUTION NO. 2003-48 RE ENCROACHMENT EASEMENTS AT DEL AMO FASHION CENTER

Recommendation

Recommendation of the **City Manager** that City Council adopt a Resolution allowing for encroachment easements for improvements in and around Carson Street associated with the development known as the Del Amo Fashion Center.

Assistant to the City Manager Sunshine advised that the proposed Resolution resolves some encroachment issues at Del Amo Fashion Center, which is currently up for sale.

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

RESOLUTION NO. 2003-48

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE ORDERING AN ENCROACHMENT EASEMENT GRANT FOR THE USE OF EXISTING SUPPORT STRUCTURES AND UTILITIES UNDER CERTAIN EXISTING AIRSPACE EASEMENTS OVER CARSON STREET BETWEEN HAWTHORNE BOULEVARD AND MADRONA AVENUE

MOTION: Councilmember Nowatka moved for the adoption of Resolution No. 2003-48. The motion was seconded by Councilmember McIntyre and passed by unanimous roll call vote.

11c. RESOLUTION NO. 2003-49 RE CLASS SPECIFICATION FOR ANIMAL CONTROL OFFICER

Recommendation

Recommendation of the **Human Resources Director** and the **Civil Service Commission** that City Council approve the proposed class specification of Animal Control Officer. In addition, the Human Resources Director recommends adoption of an amendment to the Resolution governing employees represented by Engineers to implement the recommended salary range.

Sr. Human Resources Analyst Lawrence noted that the uniform allowance was revised per the Resolution in the supplemental material.

MOTION: Councilmember Scotto moved to approve the class specification. The motion was seconded by Councilmember McIntyre and passed by unanimous roll call vote.

RESOLUTION NO. 2003-49

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING RESOLUTION NO. 2000-129 SETTING FORTH CHANGES REGARDING HOURS, WAGES, AND WORKING CONDITIONS FOR EMPLOYEES REPRESENTED BY THE ENGINEERS

MOTION: Councilmember Nowatka moved for the adoption of Resolution No. 2003-49. The motion was seconded by Councilmember Scotto and passed by unanimous roll call vote.

11d. RESOLUTION NO. 2003-50 RE CLASS SPECIFICATION FOR ANIMAL CONTROL SUPERVISOR

Recommendation

Recommendation of the **Human Resources Director** and the **Civil Service Commission** that City Council approve the proposed class specification of Animal Control Supervisor. In addition, the Human Resources Director recommends adoption of an amendment to the Resolution governing employees represented by Torrance Professional and Supervisory Association to implement the recommended salary range.

In response to Councilmember Scotto, City Manager Jackson confirmed that the proposed salary range was consistent with other supervisory positions in the City.

MOTION: Councilmember Scotto moved to concur with the class specification. The motion was seconded by Councilmember McIntyre and passed by unanimous roll call vote.

RESOLUTION NO. 2003-50

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING RESOLUTION NO. 2000-128 SETTING FORTH CHANGES REGARDING HOURS, WAGES, AND WORKING CONDITIONS FOR EMPLOYEES REPRESENTED BY THE TORRANCE PROFESSIONAL AND SUPERVISORY ASSOCIATION

MOTION: Councilmember Nowatka moved for the adoption of Resolution No. 2003-50. The motion was seconded by Councilmember Scotto and passed by unanimous roll call vote.

11e. SALE OF CITY-OWNED PROPERTY TO TORRANCE UNIFIED SCHOOL DISTRICT

Recommendation

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

- 1) Purchase and sale agreement between the City of Torrance (Torrance) and the Torrance Unified School District (District) for two parcels (APN 7370-023-900, 7370-023-999) making up 1.46 acres located on 233rd Street between Cabrillo Avenue and Arlington Avenue (Hull School Sump Site) for a purchase price of \$1.00;
- 2) A Quitclaim Deed approved by the City Attorney conveying the above referenced properties; and
- 3) Authorize the City Manager to enter into an escrow agreement in conformity with the purchase and sale agreement.

Land Management Team Chair Sunshine reported that this site has been utilized by the Torrance Unified School District for a number of years and that deeding the property to the district will assist in their application for grant funds.

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

11f. AGREEMENT RE POLICE SUBSTATION AT DEL AMO FASHION CENTER

Recommendation

Recommendation of the **City Manager** that City Council:

- 1) Authorize the execution of an agreement between the City of Torrance and the Torrance Company, doing business as the Del Amo Fashion Center ("DAFC"), for the continuation of the Police Shopping Center Detail and Foot Patrol at DAFC effective May 1, 2003; and
- 2) Approve a memorandum agreement between the City and DAFC for police services provided by City and subvention received from DAFC for the period of July 1, 1998 through April 30, 2003.

Assistant City Manager Giordano noted that the approval of the memorandum agreement was being postponed per supplemental material.

Councilmember Witkowsky commended the Police Department for doing an excellent job of keeping Del Amo Fashion Center safe for shoppers; Councilmember Lieu commended the City Attorney's office for prosecuting those who commit crimes at the mall, noting that there has been a significant decrease in crime.

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

12. HEARINGS

12a. SECOND RESIDENTIAL DWELLING UNITS ORDINANCE

Recommendation

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

1) Adopt an Ordinance:

- Amending Chapter 1, Article 4 of Division 9 of the Torrance Municipal Code (TMC) by adding a new Sub-Section 91.4.1 (h) to add Second Residential Dwelling Units as permissible uses on R-1 and other residentially zoned property improved with a single-family dwelling;
 - Amending Chapter 2, Article 2 of Division 9 of the TMC by adding a new Section 92.2.10 to add procedures and standards for Second Residential Dwelling Units;
 - Amending Chapter 1, Article 2 of Division 9 of the TMC by adding a new Section 91.2.169 to add a definition for Second Residential Dwelling Unit
 - Repeal Section 91.2.3 (definition for Accessory Living Quarters) in its entirety and to add a new Section 91.2.3 to add a definition for Accessory Building; and
- 2) Approve an Ordinance Summary for publication - LUS03-00001.

LUS03-00001: CITY OF TORRANCE

Planning Manager Isomoto reported that recently passed State legislation, AB1866, prohibits local governments from exercising discretionary review when approving second dwelling units, which means that Conditional Use Permits and Public Hearings can no longer required. She explained that, in order to maintain as much local control as possible, staff was recommending the adoption of the proposed Second Unit Ordinance, which establishes development standards to protect the integrity of the City's residential neighborhoods while complying with the new law. She highlighted key points in the proposed ordinance, explaining that second units would not be allowed in the Hillside Overlay area; that second units constructed on R-1 zoned properties must comply with R-1 development standards; and that at least one independently accessible parking space within a garage must be provided for each bedroom.

Mayor Walker noted that this legislation was thrust upon the City by the State of California and that the proposed ordinance was an attempt to exercise as much local control as possible.

Councilmember Nowatka commented that he found the title of the State legislation very revealing, "Preemption of Local Authority on Second Units."

At Councilmember Mauno's request, Planning Manager Isomoto reviewed the minimum standards for a second unit for the benefit of the public.

Councilmember McIntyre commended staff for restricting development as much as possible to preserve the character of residential neighborhoods despite the State's mandate requiring that the construction of second units be allowed.

City Attorney Fellows commended Planning staff and Deputy City Attorney Whitham for their efforts in drafting the ordinance.

Sandi Monda, 21506 Talisman, reported that residents only recently learned about AB1866, which was passed last year without any input from those most affected –

R-1 property owners. Referring to written material submitted for the record, she provided an overview of pending legislation AB1160, which addresses many of the same issues but takes them a step further by reducing the parking requirement, increasing the allowable size of a second unit, eliminating the requirement that the applicant be an owner-occupant, and allowing any parcel zoned for primary or secondary education to be developed with multi-family housing. She requested that the City assist residents in their efforts to overturn AB1866 and defeat AB1160 by providing access to the City's professional staff and financial assistance.

Linda Gottshall-Sayed, 19332 Donora Street, President of West Torrance Homeowners Association, commended staff for coming up with the proposed ordinance but stated that, contrary to staff's opinion, she believed the City could require the property owner to occupy one of the units beyond the application period. She recommended that the term "existing residence" be defined in the ordinance so that existing homes are not reduced to one wall and replaced with new duplexes and suggested that the size of curb cuts be restricted to avoid having concrete driveways that take up the entire front yard.

Mayor Walker expressed confidence that staff had thoroughly researched this matter and that the ordinance goes as far as it can. He stated that he did not believe State legislators had the layout of Torrance in mind when they approved this law and asked staff to do whatever they can to convey the City's complete opposition to the pending legislation. City Manager Jackson offered to bring back a resolution for the Council's adoption.

Donna Spreitzer, 21930 Ocean Avenue, President of Southwood Homeowners Association, expressed concerns that this law was passed without public review and about its impact on local residents. She encouraged people to write their legislators in opposition to AB1866 and AB1160. She commended staff for drafting an ordinance imposing standards, relating her understanding that few cities have made an effort to do so.

Newton Young, 22637 Hickory Avenue, representing Southwood/Sunray Homeowners Association, stated that he believed staff and the Planning Commission had done an excellent job of attempting to protect residents' property rights, however, he objected to the provision exempting the entire Hillside Overlay area because he thought it was overly broad. He requested that this provision, which would exempt 17% of the City, be deleted and that properties be excluded on a case-by-case basis. He voiced his opinion that there will be no way to maintain the single-family character of R-1 neighborhoods while this law is in place and that AB1160 would intensify the problem and strain already limited street parking.

Jack Perry, 815 Cerise Avenue, on behalf of Madrona Homeowners Association, noted his agreement with previous speakers and encouraged residents to write their legislators about this issue.

MOTION: Councilmember Scotto, seconded by Councilmember McIntyre, moved to close the public hearing; roll call vote reflected unanimous approval.

Expressing support for moving forward with the ordinance, Mayor Walker indicated that he concurred with staff's rationale for exempting the Hillside Overlay area

and noted that it would take a Herculean effort to build a second unit on the vast majority of R-1 properties in Torrance with these standards in place.

Councilmember Witkowsky suggested that opponents of this legislation mention the impact on the school district, which is facing severe budget problems, with no room and no money to expand.

Voicing support for exempting the Hillside Overlay area, Councilmember Lieu commented that he wished 100% of the City could be exempted but at this time it was only possible to exempt 17%.

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

ORDINANCE NO. 3535

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, AMENDING CHAPTER 1, ARTICLE 4 OF DIVISION 9 OF THE TORRANCE MUNICIPAL CODE BY ADDING A NEW SUB-SECTION 91.4.1 (H); AMENDING CHAPTER 2, ARTICLE 2 OF DIVISION 9 BY ADDING A NEW SECTION 92.2.169 AND, REPEALING SECTION 91.2.3 AND ADDING A NEW SECTION 91.2.3, ALL ADDING PROVISIONS FOR SECOND RESIDENTIAL DWELLING UNITS IN THE SINGLE-FAMILY, AND OTHER RESIDENTIAL ZONES

MOTION: Councilmember Nowatka moved for the adoption of Ordinance No. 3535. The motion was seconded by Councilmember Scotto and passed by unanimous roll call vote.

15. SECOND READING ORDINANCES

15a. SECOND AND FINAL READING OF ORDINANCE NO. 3534

ORDINANCE NO. 3534

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE ADDING A PROVISION TO ARTICLE 1 OF CHAPTER 5 OF DIVISION 4 OF THE TORRANCE MUNICIPAL CODE RELATING TO LOITERING BY A PERSON WHO IS A MEMBER OF A CRIMINAL STREET GANG OR A PERSON WHO IS WITH A MEMBER OF A CRIMINAL STREET GANG

MOTION: Councilmember Scotto moved for the adoption of Resolution No. 3534. The motion was seconded by Councilmember McIntyre and passed by unanimous roll call vote.

The Redevelopment Agency met from 8:11 p.m. to 8:14 p.m.

City Attorney Fellows announced that subsequent to the posting of the agenda, a letter from Del Amo Fashion Center was received requesting that the City provide an estoppel agreement certifying the terms and conditions of the lease of the Transit Center. As there was a need to take immediate action on this matter, he requested that it be added to the agenda pursuant to California Government Code Section 54954.2(b)(2). He asked that the Council authorize the City Manager to sign the agreement on the City's behalf once it has been approved by the City Attorney as to form. In order to take action on a matter that is not on the agenda, the Government Code requires a determination by a two-thirds vote of the Council that immediate action is necessary and the need to take action arose subsequent to the posting of the agenda.

MOTION: Councilmember Scotto moved to add the item to the agenda. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote.

MOTION: Councilmember Scotto moved to authorize the City Manager to sign the estoppel agreement to be approved as to form by the City Attorney. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote.

16. ORAL COMMUNICATIONS

16a. Planning Director Gibson thanked Rebecca Cutting for her work on the Second Residential Dwelling Units Ordinance.

16b. Councilmember Lieu commended Councilmember Nowatka, along with Police Chief Herren and staff involved in the Armed Forces Parade.

16c. Councilmember Mauno stated the Police Memorial Ceremony was very moving.

16d. Councilmember Mauno echoed comments on the Armed Forces observance events.

16e. Councilmember Mauno welcomed Faith Presbyterian Church to Torrance, noting that he had attended the sanctuary consecration.

16f. Councilmember McIntyre congratulated Councilmember Nowatka on a wonderful Armed Forces Day Parade, noting that the Police Department's efforts and the patriotic citizens, who attended the parade, contributed greatly to the parade's success.

16g. Councilmember McIntyre also welcomed the Faith Presbyterian Church, noting its status as the first second-generation, English-speaking Korean church to be established in the Presbyterian faith in the nation.

16h. Councilmember Nowatka noted that the kudos for the parade belong to the over 200 people involved, whose work begins the day after each parade. He commended individuals and organizations that provided financial assistance and thanked all for joining with the City to recognize those who serve our country.

16i. Councilmember Nowatka thanked everyone involved in the Police Memorial Service ceremony, noting that the event serves as a reminder of the sacrifices made by those in safety services.

16j. Councilmember Scotto echoed comments on Armed Forces events and thanked the cities of Redondo Beach, Gardena, Palos Verdes Estates and Palm Springs for providing safety services for Torrance during the parade. He stated that the fly over was fantastic.

16k. Councilmember Witkowsky echoed comments on Armed Forces Day events and congratulated the members of organizing committee, Councilmembers Nowatka (Chair), Lieu and Scotto.

16l. Councilmember Witkowsky commended the Parks and Recreation Department for the successful program assisting seniors with tax preparation.

16m. Councilmember Witkowsky announced the American Cancer Society "Relay for Life," an overnight event that celebrates survivorship and raises money for research programs, which will take May 31st and June 1st at South High School.

16n. Mayor Walker commented on his enjoyment of the week's events, including the Armed Forces Day Parade and Police Memorial Service. He thanked Councilmember Nowatka for doing an excellent job, noting that he looked forward to next year's parade.

16o. Sandi Monda, 21506 Talisman, reiterated her request that the City assist residents in their efforts to defeat AB1160, stating that this legislation merits serious consideration because over 25,000 properties could be affected and that an organized effort will be needed to defeat it.

16p. Jack Perry commended the Mayor and Council for honoring Charles Maguire.

17. EXECUTIVE SESSION

Considered earlier in the meeting, see page 1. No formal action was taken on any matter considered in closed session.

18. ADJOURNMENT

At 8:34 p.m., the meeting was adjourned to Tuesday, June 3, 2003, at 6:00 p.m. for the regular meeting in the Council Chambers. Tuesday, May 27, 2003 will be a Council dark night.

***Adjourned in Memory of
Bill Geissert***

Attest:

/s/ Dan Walker

Mayor of the City of Torrance

/s/ Sue Herbers

Sue Herbers,
City Clerk of the City of Torrance

Approved on August 5, 2003