

July 1, 2008

**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 on Tuesday, July 1, 2008 at 7:00 p.m. in City Council Chambers at Torrance City Hall.

ROLL CALL

Present: Councilmembers Barnett, Brewer, Drevno, Nowatka, Sutherland, Witkowsky, and Mayor Scotto.

Absent: None.

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

2. FLAG SALUTE/INVOCATION

The flag salute was led by Councilmember Nowatka.

Councilmember Witkowsky gave the non-sectarian invocation.

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

City Clerk Herbers reported that the agenda was posted on the Public Notice Board at 3031 Torrance Boulevard on Thursday, June 26, 2008.

MOTION: Councilmember Brewer 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 WITHDRAWN, DEFERRED OR SUPPLEMENTAL ITEMS

Mayor Scotto noted supplemental material available at the meeting on Agenda Items 6A, 6B and 8B.

5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS

Fire Chief Bongard Fire Chief Bongard announced that ExxonMobil would be conducting their monthly community alert siren testing on Wednesday, July 2, at approximately 11:30 a.m.

Community Services Director Jones invited everyone to attend the 28th Annual 4th of July Celebration at Wilson Park starting at 11:00 a.m., with food booths, games, train rides and musical entertainment and a fireworks display at 9:00 p.m. He noted that there will be free shuttles from the Civic Center and Del Amo Fashion Center and that no dogs are permitted at Wilson Park during this event

Fire Chief Bongard reminded the public that all fireworks are illegal in the City of Torrance.

6. COMMUNITY MATTERS

6A. RECONSIDERATION OF COUNCIL DECISION RE 728 SARTORI AVENUE

Recommendation

Recommendation of the **City Manager** that the City Council consider a motion to reconsider the decision to uphold an appeal and deny the proposal to construct a new two-unit residential condominium project, denial of a Conditional Use Permit to allow multiple owner-occupied units, a Division of Lot for condominium purposes, and a Variance to allow tandem parking on property located in the R-3 zone at 728 Sartori Avenue.

It is further recommended that in the event the City Council determines to reconsider the matter a hearing date of August 5, 2008 be set and the hearing be re-advertised to the public.

Don Barnard, Save Historic Old Torrance, urged the Council to deny the request to reconsider their decision on this project.

Pamela Maran, resident, voiced her opinion that the Council's decision should be upheld.

Simie Seaman, resident, expressed support for SHOT's position on this matter.

David Henseler, resident, stated that he was opposed to the reconsideration of the Council's decision.

Janet Payne, resident, voiced objections to the reconsideration of this project.

Bonnie Mae Barnard, Save Historic Old Torrance, stated that there was no basis for reconsideration of this project and the Council should not be swayed by the possibility that the property owner may build a duplex on this site.

Judy Weber, resident, commented on efforts to preserve the character of old Torrance and urged that the Council not reconsider their decision on this project.

Councilmember Brewer stated that he was aware of some new information that could warrant another look at the project and he believed the installation of the new councilmembers presented a unique opportunity to reexamine the project from a different perspective.

Councilmember Witkowsky voiced support for reconsidering the Council's denial of the project, stating that she strongly believes property owners should be allowed to develop their property in conformance with the zoning.

Councilmember Sutherland related his belief that it was the Council's responsibility to decide what's best for a particular area and now allow a project just because it's consistent with the zoning. He indicated that he was opposed to the new Council rehearing this case.

Councilmember Barnett reported that he voted to place this item on the agenda as a courtesy to Councilmember Brewer, however his position remains the same – that the project is too large for this small, narrow lot.

Councilmember Nowatka stated that he was not aware of any new information and saw no compelling reason to reconsider this matter.

Councilmember Drevno indicated that she would support a motion for reconsideration.

Mayor Scotto stated that he did not believe the Council should reconsider decisions once they have been made and expressed concerns that doing so would lead to many more requests.

MOTION: Councilmember Brewer moved to reconsider the Council's decision to deny a two-unit condominium project at 728 Sartori Avenue. The motion was seconded by Councilmember Witkowsky and failed to pass as reflected in the following roll call vote:

AYES: Councilmembers Brewer, Drevno and Witkowsky

NOES: Councilmembers Barnett, Nowatka, Sutherland and Mayor Scotto

6B. DECLARATION OF RESULTS OF JUNE 3, 2008 MUNICIPAL ELECTION

Recommendation

Recommendation of the **City Clerk** that City Council adopt RESOLUTION 2008-87 declaring the results of the Municipal Election consolidated on the Los Angeles County Primary Election held on June 3, 2008. The City Clerk is prepared to give the oath of office to the incoming Councilmembers and present Certificates of Election.

Mayor Scotto announced that this was the time and place to make official the results of the June 3, 2008 General Municipal Election.

City Clerk Herbers confirmed that the Los Angeles County Registrar conducted the June 3, 2008 Municipal Election as directed by the City Council; that all valid absentee and provisional ballots have been canvassed and included in the returns; and that the results of the voting in each precinct and in the City as a whole were accurately enumerated in the proposed Resolution declaring the results of the election.

Mayor Scotto declared the official canvass of the returns of the June 3, 2008 Municipal Election complete.

RESOLUTION NO. 2008-87

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE,
CALIFORNIA, RECITING THE FACT OF THE GENERAL MUNICIPAL
ELECTION HELD ON JUNE 3, 2008, DECLARING THE RESULT AND SUCH
OTHER MATTERS AS PROVIDED BY LAW

MOTION: Councilmember Brewer moved for the adoption of Resolution No. 2008-87. The motion was seconded by Councilmember Sutherland and passed by unanimous roll call vote.

Mayor Scotto reported that Susan Rhilinger, Gene Barnett and Pat Furey were elected to four-year terms and Cliff Numark was elected to fill the remaining two-year term. He announced the results of the election as follows:

Councilmembers – Susan Rhilinger received **9,413** votes
Gene Barnett received **8,234** votes
Pat Furey received **7,300** votes
Cliff Numark received **7218** votes

City of Torrance Measure T – YES – 10,716 votes
NO - 8,346 votes

City Clerk Herbers administered the oath of office to incoming Councilmembers and presented them with Certificates of Election.

6C. ORAL COMMUNICATIONS BY COUNCILMEMBERS

State Assemblyman Ted Lieu presented Resolutions to Councilmembers Drevno, Nowatka and Witkowsky commending them for their dedicated service.

Steve Napolitano presented Resolutions to Councilmembers Drevno, Nowatka and Witkowsky on behalf of Los Angeles County Supervisor Don Knabe.

City Manager Jackson, City Attorney Fellows, City Treasurer Barnett, and City Clerk Herbers commented on their enjoyment of working with outgoing Councilmembers Drevno, Nowatka and Witkowsky; thanked them for their service; and wished them well in future endeavors.

Councilmembers Barnett, Brewer, and Sutherland expressed appreciation to outgoing Councilmembers Drevno, Nowatka and Witkowsky for their dedicated service and their strong commitment to the City of Torrance.

Councilmembers Drevno, Nowatka and Witkowsky commented on their enjoyment of serving on the City Council; thanked staff for their support; and welcomed new Councilmembers.

Mayor Scotto expressed appreciation to Councilmembers Drevno, Nowatka and Sutherland for their service, noting the strong friendships that have been formed.

8D. RECESS

The Council recessed from 8:40 p.m. to 8:57 p.m.

REGULAR BUSINESS OF THE INCOMING CITY COUNCIL

The City Council reconvened with Councilmembers Barnett, Brewer, Furey, Numark, Rhilinger, Sutherland and Mayor Scotto present.

Councilmembers Barnett, Furey, Numark and Rhilinger expressed appreciation for the opportunity to serve the City of Torrance; commended outgoing Councilmembers for their service; and thanked friends and family members for their support.

Councilmembers Brewer and Sutherland and Mayor Scotto welcomed incoming Councilmembers.

8. CONSENT CALENDAR

8A. INVESTMENT REPORT FOR MAY 2008

Recommendation

Recommendation of the **City Treasurer** that City Council accept and file the monthly investment report for the month of May 2008.

8B. PURCHASE ORDER FOR UNIFORMS AND EQUIPMENT

Recommendation

Recommendation of the **Chief of Police** that City Council authorize a renewal of Purchase Order 2008-1270 issued to Galls/Long Beach Uniform of Long Beach, California, in an amount not to exceed \$30,000 per year for the purchase of police uniforms and equipment on an as needed basis. The agreement will be renewed for a 12-month term, from July 1, 2008 through June 30, 2009. This would be a second year renewal, exercising the vendor's contractual agreement to honor the current price, terms and conditions of the contract for up to five years, pending budget approval.

8C. GRANT FOR ADULT PROGRAMMING AT TORRRANCE LIBRARIES

Recommendation

Recommendation of the **Community Services Director** that City Council accept and appropriate a grant of \$13,420 from the Friends of Torrance Library for adult programming at the six Torrance libraries in fiscal year 2008-09.

MOTION: Councilmember Rhilinger moved for the approval of Consent Calendar Items 8A through 8C. The motion was seconded by Councilmember Sutherland and passed by unanimous roll call vote.

12. ADMINISTRATIVE MATTERS

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

Recommendation

Recommendation of the **City Manager** that City Council set a hearing date of Tuesday, July 22, 2008 to conduct the hearing on the appeal of the Civil Service Commission decision sustaining the termination of Russell Halleen.

