

**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, July 17, 2007 in the City Council Chambers at Torrance City Hall.

**ROLL CALL**

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

Absent: Councilmember Drevno.

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

Agenda Item 18 was considered out of order at this time.

**18. EXECUTIVE SESSION**

The City Council immediately recessed to closed session to confer with the City Manager and the City Attorney on agenda matters listed under 18A) Conference with Labor Negotiator; 18B) Conference with Legal Counsel – Existing Litigation; 18C) Conference with Legal Counsel – Anticipated Litigation; and 18D) Real Property – Conference with Real Property Negotiator, pursuant to California Government Code § 54957.6, 54956.9 (a), 54956.9 (b) (1) and 54956.8.

The City Council reconvened at 7:02 p.m. No formal action was taken on any matter considered in closed session.

**2. FLAG SALUTE/INVOCATION**

The Pledge of Allegiance was led by Acting Community Services Director Norm Reeder.

Councilmember Nowatka 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 Friday, July 13, 2007.

**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 Barnett and passed by unanimous roll call vote (absent Councilmember Drevno).

**4. WITHDRAWN OR DEFERRED ITEMS**

Agenda Item 12C was withdrawn.

**5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS**

Police Chief Neu announced that that a large-scale training exercise would take place on July 24 and 25, involving the police department, state and local governments and the military. He noted that the exercise was designed to help coordinate response in the event of a major disaster and that military helicopters will be landing at Torrance Airport as part of the exercise.

Public Works Director Beste reminded everyone to conserve water as the region is still in a drought.

Public Works Director Beste announced that the intersection of Anza and Sepulveda will be closed from 9:00 a.m. to 3:00 p.m. on Wednesday, July 18, 2007.

**7. ORAL COMMUNICATIONS #1**

**7A.** Shirley Bethke, resident, reported that the Board of Directors of her homeowners association refuses to make repairs to her unit and requested the Council's assistance.

**7B.** Dee Hardison announced that she would be co-chairing a course with Don Lee on media relations and running for public office on September 20, 2007, from 4:00 – 9:00 p.m. She noted that the course is designed to encourage public service and is sponsored by the Chamber of Commerce.

**7C.** Cheryl Parisi, executive director of AFSCME District Council 36, voiced support for City workers and asked that the Council honor and respect their rights.

**7D.** Jeannie Moorman, president of AFSCME Local 1117, expressed concerns that members have been without a contract since March 1<sup>st</sup>; noted that membership voted overwhelming to reject the most recent offer; and urged that the City be open-minded when negotiations resume.

**7E.** Debbie Hays, president of Torrance Historical Society, announced the 50s themed Rock Around the Block event to be held on Thursday, July 19, 2007 from 5:00 – 8:00 p.m. in front of the museum at 1345 Post Avenue.

**7F.** Joaquin Carrera, AFSCME Local 830, expressed support for City employees.

**7G.** Ralph Miller, vice president of the LA County Federation of Labor, echoed support for City employees and expressed the hope that negotiations would be successful.

**7H.** Jimmy Gomez, AFSCME International, Washington, D.C., encouraged the Council to make a good faith effort to arrive at an agreement with City employees.

**7I.** Bonnie Mae Barnard, Save Historic Old Torrance, thanked everyone who attended SHOT's historic home tour, with special thanks to sponsors Red Car Brewery, Foster's Freeze and the Torrance Bakery.

**7J.** Adam Acosta, AFSCME, asked that the Council direct City management to move forward with negotiations so that contract issues could be resolved.

**7K.** Mary Weiss, AFSCME, Local 1902, voiced support for City employees and expressed the hope that contract negotiations would be successful.

**8. CONSENT CALENDAR**

**8A. APPROVAL OF MINUTES**

**Recommendation**

City Clerk recommends that City Council approve the City Council minutes of May 8, May 15, and May 22, 2007.

**8B. NARRATIVE AND FINANCIAL REPORTS FOR 2006 NON-PROFIT SOCIAL SERVICES AGENCY GRANT RECIPIENTS**

**Recommendation**

The Parks and Recreation Commission and Acting Community Services Director recommend that City Council accept and file the Narrative and Financial Reports of completed projects for fiscal year 2005-2006 non-profit social services agency grant recipients.

**8C. FIRST AMENDMENT TO AGREEMENT WITH LIEBERT CASSIDY WHITMORE**

**Recommendation**

The City Attorney recommends that the City Council approve the First Amendment to the fee agreement with the law firm of Liebert Cassidy Whitmore (C2005-155) to provide legal services relating to a personnel termination appeal proceeding in the additional amount of \$20,000 for a total amount not to exceed \$44,000.

**8D. SECOND AMENDMENT TO AGREEMENT WITH LIEBERT CASSIDY WHITMORE**

**Recommendation**

The City Attorney recommends that City Council approve the Second Amendment to the fee agreement with the law firm of Liebert Cassidy Whitmore (C2005-145) to provide legal services relating to a personnel termination appeal proceeding in the additional amount of \$40,000 for a total amount not to exceed \$89,000.

**8E. CONTRACT AMENDMENT FOR DEVELOPING CULTURAL PROGRAMMING**

**Recommendation**

The Acting Community Services Director recommends that City Council approve an amendment to consulting service agreement with John Powers (C2006-193) (\$60,000), increasing the contract by \$12,750 for a total not-to-exceed amount of \$72,750 for developing cultural programming at the Torrance Cultural Arts Center.

**8F. ACCEPTANCE/APPROPRIATION OF GRANT AND DONATION FOR LIVE HOMEWORK HELP PROGRAM**

**Recommendation**

The Acting Community Services Director recommends that City Council accept and appropriate a California State Library - Library Services and Technology Act (LSTA) grant in the amount of \$18,411, and a donation of \$6,137 from the Torrance Public Library Foundation, to fund the on-line Live Homework Help program. (FEAP 622)

**8G. CONTRACT RENEWAL - L.A. COUNTY DELINQUENCY PREVENTION PROGRAM**

**Recommendation**

The Chief of Police recommends that City Council accept and endorse renewing the County of Los Angeles Delinquency Prevention Program contract through September 12, 2008, in the amount of \$29,070.

**8H. AGREEMENT FOR CHILD DEVELOPMENT PROGRAMS**

**Recommendation**

The Acting Community Services Director recommends that City Council approve a two-year agreement with Family Fun Time Parent Child Programs to provide child development classes at Greenwood Park, for an amount not to exceed \$149,730. Expenditure will be fully reimbursed by class fees.

**8I. APPROVAL OF PROJECT BUDGET FOR T-1 VAULT UPGRADES**

**Recommendation**

The Public Works Director recommends that the City Council appropriate \$400,000 from the Water Enterprise Fund to establish a budget for T-1 vault upgrades needed to bring the facility into compliance with California Code of Regulations, Title 8 requirements.

**8J. PURCHASE AGREEMENT FOR T-SHIRTS, SWEATSHIRTS AND JACKETS**

**Recommendation**

The Acting Community Services Director recommends that City Council authorize a renewal purchase agreement with Custom Embroidery and Screen Printing by Icon, in Torrance, CA for the purchase of T-Shirts, sweatshirts, jackets, and collared shirts, for an annual amount not to exceed \$100,943.74.

**8K. AGREEMENT FOR CITY YARD WATER QUALITY IMPROVEMENT PROJECT**

**Recommendation**

The Public Works Director recommends that City Council:

- 1) Award a consulting services agreement in the amount of \$116,930 to Plotnik & Associates of Rancho Dominguez, California to perform design services for the Torrance City Yard Water Quality Improvement Project; and
- 2) Transfer the remaining fund balance of \$151,415 from Torrance Beach Water Quality Improvement Project, CIP No. I-64, Torrance City Yard Water Quality Improvement Project, to FEAP #572.

**MOTION:** Councilmember Witkowsky moved for the approval of Consent Calendar Items 8A through 8K. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote (absent Councilmember Drevno).

**12. ADMINISTRATIVE MATTERS**

**12A. FINAL REPORT FROM COUNCIL COMPENSATION AND CHARTER STUDY COMMITTEE**

**Recommendation**

The City Manager recommends that City Council accept and file the final report from the Council Compensation and Charter Study Committee covering the period of February 15, 2007 to May 10, 2007.

Mayor Scotto, with the assistance of Councilmember Nowatka, presented certificates of appreciation to the following members of the Council Compensation and Charter Study Committee: Don Lee, chair, and members John Bailey, Steven Busch, Karen Fitch, Deborah Fox, Gerry Rische, Toni Sargent, Marla Shwartz and Reva Skoll. Jack Messerlian, vice chair, was unable to attend.

Don Lee, chair, explained that the Committee was charged with studying and making recommendations on the following topics: 1) Changing City Charter provisions related to City Council compensation; 2) Changing the City Clerk position from elected to appointed; 3) Changing the City Treasurer position from elected to appointed; 4) Extending term limits for City Council; and 5) Moving the date of the City election. He reported that after thoroughly studying each topic, it was the consensus of the Committee to recommend that no changes be made in any of these areas and provided a brief summary of the Committee's rationale for preserving the status quo. He advised that the

Committee also discussed mail-only ballots and a recommendation was made that the City Council consider this method of voting for future municipal elections because it was felt that it could save money, increase participation, and make the election process more civil.

John Bailey, Committee member, noted the growing number of people who vote by absentee ballot and recommended that this Committee be charged with examining the feasibility of using vote-by-mail ballots for future City elections.

Councilmember Witkowsky expressed support for considering the use of mail-only ballots.

Mayor Scotto noted that the vote-by-mail issue would be discussed at a future date, therefore, it was not necessary to convene a committee to study this topic.

Mayor Scotto invited comments on City Council compensation.

Councilmember Witkowsky noted her agreement with the Committee's recommendation that compensation remain unchanged, relating her experience that councilmembers do not seek this office for the pay.

Councilmember Sutherland stated he would endorse the Committee's recommendation, however, he believed that increasing compensation would make it possible for younger people, who cannot afford to take time away from their jobs, to serve on the Council.

**MOTION:** Councilmember Brewer moved to concur with the Committee's recommendation that City Council compensation remain unchanged. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote (absent Councilmember Drevno).

Mayor Scotto invited comments on changing the City Clerk position from elected to appointed.

City Clerk Herbers strongly urged that the position be appointed rather than elected, noting that it is a professional position with a wide range of duties and making it an elected position eliminates well-qualified individuals who do not live in the City of Torrance.

Councilmember Witkowsky voiced support for the Committee's recommendation, relating her experience having the City Clerk as an elected position has worked very well.

Rick Marshall, resident, voiced support for the Committee's recommendation that the City Clerk remain an elected position.

**MOTION:** Councilmember Witkowsky moved to concur with the Committee's recommendation that the position of City Clerk remain an elected position. The motion was seconded by Councilmember Brewer and passed by a 5-1 roll call vote, with Councilmember Sutherland dissenting (absent Councilmember Drevno).

Mayor Scotto invited comments on changing the City Treasurer position from elected to appointed.

City Treasurer expressed support for the Committee's recommendation that the City Treasurer remain an elected position. She reported that she conducted a survey of cities that have appointed treasurers and in most cases the treasurer position has been combined with the position of finance director thereby eliminating important checks and balances.

**MOTION:** Councilmember Brewer moved to concur with the Committee's recommendation that the position of City Treasurer remain an elected position. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote (absent Councilmember Drevno).

Mayor Scotto invited comment on extending term limits for the City Council.

Karen Fitch, Committee member, noted she dissented from the recommendation that term limits remain unchanged because she felt that experience was a very valuable asset.

**MOTION:** Councilmember Brewer moved to concur with the Committee's recommendation that term limits for the City Council remain unchanged. The motion was seconded by Councilmember Barnett and passed by unanimous roll call vote (absent Councilmember Drevno).

Mayor Scotto invited comment on moving the date of the City election.

**MOTION:** Councilmember Brewer moved to concur with the Committee's recommendation that the City's election date remain unchanged. The motion was seconded by Councilmember Barnett and passed by unanimous roll call vote (absent Councilmember Drevno).

Mayor Scotto expressed appreciation to Committee members for all their hard work.

**12B. DESIGNATION OF VOTING DELEGATE FOR LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE**

**Recommendation**

The City Manager recommends that City Council approve the recommended designation of voting delegate, Councilman Tom Brewer, to represent the City of Torrance at the League of California Cities Annual Conference from September 5 to September 8, 2007 in Sacramento.

**MOTION:** Councilmember Witkowsky moved to concur with the staff recommendation. The motion was seconded by Councilmember Brewer and passed by unanimous roll call vote (absent Councilmember Drevno).

**12C. CITY COUNCIL COMMITTEE APPOINTMENTS**

**Recommendation**

The City Manager recommends that City Council appoint chairs and members to the following City Council Committees and Boards:

1. Standing Committees
2. Outside Regional Boards and Agencies
3. Ad Hoc Committees
4. City Council Liaisons

Item was withdrawn.

**13. HEARINGS**

**13A. WAV07-00002: 438 CALLE DE ARAGON - ASAKO AND SHUJI NOGUCHI**

**Recommendation**

The Planning Commission and Community Development Director recommend that City Council deny the appeal and adopt a Resolution denying a Waiver to allow a reduction in the rear yard setback requirements in conjunction with the addition of

a storage room to the rear of an existing attached two car garage on property located in the Hillside Overlay District in the R-1 Zone at 438 Calle de Aragon. WAV07-00002: Asako and Shuji Noguchi

Mayor Scotto announced that this was the time and place for a public hearing on this matter. City Clerk Herbers confirmed that the hearing was properly advertised.

With the aid of slides, Planning Manager Lodan briefly reviewed the request for a Waiver of rear yard setback requirements to allow the addition of a storage room to the rear of an existing garage. He noted that the storage room has already been constructed without benefit of permits and was brought to the City's attention via a complaint. He advised that another Waiver of rear yard setback requirements was granted in September 2005 to allow the attachment of a then detached garage to this residence. He reported that the Planning Commission voted to deny the project by a vote of 4-3.

Councilmember Witkowsky related her understanding that the storage room will be used to house medical equipment for the applicants' son and questioned whether the Waiver could be granted if all the adjacent neighbors agreed to it.

Deputy City Attorney Whitham noted supplemental material containing a letter from the neighbor at 442 Calle de Aragon objecting to the storage shed. She advised that there are certain findings the Council must make in order to approve a Waiver regardless of whether or not neighbors support it and briefly reviewed those findings.

In response to Councilmember Brewer's inquiry, Planning Manager Lodan clarified that a prefabricated storage shed under 60 square feet in size and not attached to the residence would be allowed in the same location or the shed as built would be allowed if proper setbacks were maintained.

In response to Mayor Scotto's inquiry, Planning Manager Lodan reported that construction on the storage shed began within months of the completion of the project for which the earlier Waiver was granted and related his understanding that it was built by the same contractor.

Councilmember Brewer asked if there were other more suitable locations for the shed. Planning Manager Lodan advised that there are other locations where the storage shed could be accommodated, however, it may involve modifying the existing floor plan and the current location is probably the least intrusive because it's tucked behind the garage.

Councilmember Witkowsky related her belief that the storage shed would have little impact on the neighbor at 442 Calle de Aragon because a garage and accessory structures on this property face the shed.

Asako Noguchi, 438 Calle de Aragon, stated that she was not aware a building permit was needed when the storage shed was constructed and her architect, Masaya Okada, was not involved in the project and only drew up the plans after the shed was completed for the purpose of obtaining permits. She reported that she had sent a letter to the neighbor at 442 Calle de Aragon asking if he had any concerns about the shed; that he never responded so his objections had taken her by surprise; and that she had met with him earlier in the day to assure him that the shed would only be used for storage and to show him a picture of the medical equipment to be housed there.

Ms. Noguchi explained that her autistic son has shown improvement after hyperbaric oxygen treatments; that she and her husband plan to purchase a hyperbaric chamber because it is more cost effective; and that protective dry storage is needed for safety reasons.

In response to Mayor Scotto's inquiry, Ms. Noguchi reported that she has not yet purchased the hyperbaric chamber.

Masaya Okada, architect, provided clarification regarding the composition of the storage shed.

Responding to questions from the Council, Ms. Noguchi reported that her home has four-bedrooms plus office space and that her son is an only child. She stated that the size of the hyperbaric chamber is approximately 8 feet high and 3 feet in diameter with an inflatable upper portion; that the chamber is portable and treatments would take place inside the house; and that the chamber would be stored in the shed when not in use.

Councilmember Witkowsky stated that she felt that she had been misled by Ms. Noguchi when she met with her earlier as she did not mention that the treatments would take place inside the house and the hyperbaric chamber would be stored in the shed only intermittently.

Councilmember Sutherland noted that Ms. Noguchi told him that the treatments would take place inside the house and perhaps her failure to mention this to Councilmember Witkowsky was an oversight.

Responding to questions from the Council, Planning Manager Lodan confirmed that the shed would have to comply with all building code requirements should it be approved, and Community Development Director Gibson confirmed that there have been instances where un-permitted structures have had to be demolished when the Planning Commission or the City Council elected not to approve them after the fact.

Councilmember Nowatka noted that, according to the staff report, the applicant originally stated that the storage shed was to be used for the storage of business materials and later stated that it was to be used for medical equipment.

Ms. Noguchi explained that it was only after the first of the year that she and her husband decided that it would be more cost effective to purchase a hyperbaric chamber.

**MOTION:** Councilmember Brewer moved to close the public hearing. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote (absent Councilmember Drevno).

Voicing support for the Waiver, Councilmember Sutherland stated that while he believed the applicants built the shed knowing that a Waiver was required, he did not want to deny their son the opportunity for medical treatment.

Councilmember Brewer indicated that he would not support the Waiver to allow further intrusion into the rear yard setback, noting that the house is already fairly large. He commented that he like most people would like to have a storage shed off the garage, but can't have one due to setback requirements.

Councilmember Witkowsky stated that she did not believe it would be an unreasonable hardship to deny the Waiver because the medical equipment could be stored in one of the bedrooms in this four-bedroom home, therefore, she would support the Planning Commission's and the Community Development Director's recommendation to deny the Waiver.

Councilmember Barnett stated that although he sympathizes with the intended use, he felt that approving the shed would send the wrong message to others in the community – that it's easier to get forgiveness than permission – and he would also vote to deny the Waiver.

Mayor Scotto related his belief that there are other places to store the medical equipment, either in a bedroom, the garage, or a shed at another location, so denial of the Waiver should not be construed as being harmful to the Noguchis' son's medical treatment. He expressed concerns that building the shed was an attempt to get something approved that would have never been approved had it been part of the earlier addition.

**MOTION:** Councilmember Witkowsky moved to deny the appeal and to deny the Waiver. The motion was seconded by Councilmember Barnett and passed by a 5-1 roll call vote, with Councilmember Sutherland dissenting (absent Councilmember Drevno).

**RESOLUTION NO. 2007-69**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, DENYING WITHOUT PREJUDICE A WAIVER AS PROVIDED FOR IN DIVISION 9, CHAPTER 4, ARTICLE 2 OF THE TORRANCE MUNICIPAL CODE TO ALLOW A REDUCTION IN THE REAR YARD SETBACK REQUIREMENTS IN CONJUNCTION WITH THE ADDITION OF A STORAGE ROOM TO THE REAR OF THE EXISTING GARAGE ON PROPERTY LOCATED IN THE HILLSIDE OVERLAY DISTRICT IN THE R-1 ZONE AT 438 CALLE DE ARAGON

**MOTION:** Councilmember Witkowsky moved for the adoption of Resolution No. 2007-69. The motion was seconded by Councilmember Barnett and passed by 5-1 roll call vote, with Councilmember Sutherland dissenting (absent Councilmember Drevno).

The Council recessed from 8:50 p.m. to 9:03 p.m.

**13B. CUP06-00015, DIV06-00013, VAR06-00001: 728 SARTORI AVENUE (SUBTEC/CHERYL VARGO (JOHN RYAN))**

**Recommendation**

The Planning Commission and Community Development Director recommend that City Council deny the appeal and take the following action on property located in the R-3 Zone at 728 Sartori Avenue:

- 1) Adopt a Resolution denying a Conditional Use Permit allowing the construction of a two unit development
- 2) Adopt a Resolution denying a Division of Lot for condominium purposes and
- 3) Adopt a Resolution denying a Variance to allow tandem guest parking.  
CUP06-00015, DIV06-00013, VAR06-00001(EAS06-00005): Subtec/Cheryl Vargo (John L. Ryan, Jr.)

Mayor Scotto announced that this was the time and place for a public hearing on this matter. City Clerk Herbers confirmed that the hearing was properly advertised.

Planning Manager Lodan briefly reviewed the request for a Conditional Use Permit to allow a two-unit condominium project and a Variance to allow a tandem arrangement for the required guest parking. He reported that the Planning Commission voted to deny the project by a vote of 6-0.

Jack Ryan, 728 Sartori Avenue, stated that he and his wife purchased the subject property in 1997, with the intention of building something better in the future; that his wife passed away in December 2000 and he has been raising his two daughters alone since that time; and that he was proposing to replace the existing house that is in disrepair with a two-unit condominium project, which he believes will be an asset to the community. He noted that this neighborhood is a hodge-podge of single-family and multi-family residences and that 11 of the 21 lots on his block have two or more units. He reported that the project has the total support of his neighbors and that a similar project was built down the street.

Mr. Ryan explained that at the Planning Commission hearing, the primary concern was parking, however, the project would only improve the parking situation because there is currently only one parking space on-site and the proposed project would provide six. He pointed out that he could build the exact same project on this site as a duplex without having to provide guest parking and noted that he is not a developer and plans to live in one of the units.

Submitting a map to illustrate, Cheryl Vargo, representing the applicant, stated that parking problems in this neighborhood are the result of the many older multi-family developments that do not meet today's more stringent parking requirements and that the parking situation will gradually improve as these properties are recycled. She explained that the Variance is necessary to allow the required guest parking space to be located in front of the garage of the rear unit, which will take access from the alley, and that the narrow lot will not accommodate three parking spaces side-by-side so the guest space must be in a tandem arrangement. She noted that to better conform to the neighborhood, the second story will be set back three feet along Sartori and that grass-crete will be used for the front driveway.

Sharon Imel, 729 Border Avenue, stated that she strongly supports the project and believes it will be a definite improvement. She voiced her opinion that the loss of one on-street parking space for a curb cut was far outweighed by the additional on-site parking, noting that parking in front of garages in the alley is a common arrangement. She cited as additional benefits the fact that the new homes will be more energy efficient, that the alley will be improved in conjunction with the project, and that the units are likely to be better maintained because they will be owner-occupied as opposed to rentals.

Janet Payne, 1318 Engracia Avenue, voiced objections to the proposed project, contending that the curb cut and front-facing garage were out of character with the neighborhood, which was designed to take access from the alley. She noted that there is an almost identical project at 1001 Sartori, which she believes detracts from the neighborhood.

Liz Beam, 1001 Sartori Avenue, expressed support for the project, stating that Sartori Avenue is in desperate need of improvement.

Mary Ann Reis, 1333 Engracia Avenue, stated that the proposed condominium development was too large for this small lot; that front-facing garages are not appropriate for the Old Torrance area; and this area doesn't need any additional traffic.

Don Barnard, Save Historic Old Torrance, urged the Council to preserve the character of the Old Torrance area by denying this project. He stated that over-development in Redondo Beach and Manhattan Beach began in the same way one lot at a time, when large condominium projects were allowed to be built between two bungalows and that these cities have come to regret this loss of character. He voiced his opinion that the proposed project was too large and not in harmony with other homes and the streetscape on Sartori Avenue.

Bonnie Mae Barnard, Save Historic Old Torrance, voiced objections to the proposed project, maintaining that it was too large for this small lot and that it doesn't blend with the neighborhood. She noted that this street was designed to take access from the alley and that the front-facing garage would break up the continuity of the streetscape. She expressed concerns about the two extremely small lots that would be created by the Division of Lot and related her belief that the existing house is a historic resource and, as

such, the categorical exemption from the CEQA (California Environmental Quality Act) was not appropriate. She suggested that the applicant consider enlarging the existing residence in accordance with the new architectural guidelines developed by the Torrance Historical Society.

Ms. Vargo noted that people purchase properties with the expectation that they will be able to develop it according to its zoning and suggested that if the Council believes that single-family residences are more appropriate for this area, the zoning should be changed. She stated that while parts of Torrance are historic, this particular block is not and it is in desperate need of improvement. She reported that the project has the support of neighbors who live in the single-family residences on either side and explained that Mr. Ryan must sell the other condominium in order to afford the mortgage on the one he plans to live in.

For the benefit of the audience, Councilmember Witkowsky explained that the City Council considered the matter of whether to create a Historic Preservation Overlay Zone (HPOZ) approximately 18 months ago following several months of study by the Community Planning and Design Committee, and the Council elected not to create a HPOZ and to instead implement the Mills Act, which provides tax relief for those who wish to preserve or renovate their homes, and to develop architectural guidelines, which are entirely voluntary. She voiced her opinion that it would be unfair to deny this property owner the opportunity to develop his property in accordance with the zoning because he purchased it with this expectation, noting that this block definitely needs improvement.

Mayor Scotto stated that he did not believe a 30-foot wide lot should have ever been zoned R-3, however, that is the current zoning. He related his understanding that the project complies will all development standards except for the tandem arrangement for the guest parking.

Planning Manager Lodan advised that the project is slightly under the minimum 20-foot front yard setback. Ms. Vargo expressed the applicant's willingness to enlarge the setback to meet this requirement.

Councilmember Brewer stated that he could not support the project because he believes the curb cut and front-facing garage would definitely change the character of the neighborhood. He indicated that he would consider a tandem parking arrangement for this site as long as access is taken from the alley.

**MOTION:** Councilmember Witkowsky moved to close the public hearing. The motion was seconded by Councilmember Barnett and passed by unanimous roll call vote (absent Councilmember Drevno).

**MOTION:** Councilmember Witkowsky moved to approve the appeal and approve the project.

The motion died for lack of a second.

**MOTION:** Councilmember Brewer moved to deny the appeal and deny the project without prejudice. The motion was seconded by Councilmember Barnett and passed by a 5-1 roll call vote, with Councilmember Witkowsky dissenting (absent Councilmember Drevno).

**RESOLUTION NO. 2007-70**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, DENYING WITHOUT PREJUDICE A CONDITIONAL USE PERMIT AS PROVIDED FOR IN DIVISION 9, CHAPTER 5, ARTICLE 1 OF

THE TORRANCE MUNICIPAL CODE TO ALLOW THE CONSTRUCTION OF A TWO-UNIT CONDOMINIUM DEVELOPMENT ON PROPERTY LOCATED IN THE R-3 ZONE AT 728 SARTORI AVENUE

**MOTION:** Councilmember Nowatka moved for the adoption of Resolution No. 2007-70. The motion was seconded by Councilmember Barnett and passed by a 5-1 roll call vote, with Councilmember Witkowsky dissenting (absent Councilmember Drevno).

**RESOLUTION NO. 2007-71**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, DENYING WITHOUT PREJUDICE A DIVISION OF LOT AS PROVIDED FOR IN DIVISION 9, CHAPTER 2, ARTICLE 29 OF THE TORRANCE MUNICIPAL CODE TO ALLOW A SUBDIVISION FOR CONDOMINIUM PURPOSES ON PROPERTY LOCATED IN THE R-3 ZONE AT 728 SARTORI AVENUE

**MOTION:** Councilmember Sutherland moved for the adoption of Resolution No. 2007-71. The motion was seconded by Councilmember Barnett and passed by a 5-1 roll call vote, with Councilmember Witkowsky dissenting (absent Councilmember Drevno).

**RESOLUTION NO. 2007-72**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, DENYING WITHOUT PREJUDICE A VARIANCE AS PROVIDED FOR IN DIVISION 9, CHAPTER 4, ARTICLE 1 OF THE TORRANCE MUNICIPAL CODE TO ALLOW TANDEM PARKING ON PROPERTY LOCATED IN THE R-3 ZONE AT 728 SARTORI AVENUE

**MOTION:** Councilmember Sutherland moved for the adoption of Resolution No. 2007-72. The motion was seconded by Councilmember Barnett and passed by a 5-1 roll call vote, with Councilmember Witkowsky dissenting (absent Councilmember Drevno).

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The City Council met as the Redevelopment Agency from 10:06 p.m. to 10:07 p.m.

**17. ORAL COMMUNICATIONS**

**17A.** Councilmember Witkowsky reported that volunteerism is down in the Los Angeles area and urged those in the viewing audience to contact the Volunteer Center or RSVP in downtown Torrance about opportunities to volunteer.

**17B.** Councilmember Witkowsky encouraged attendance at the Rock Around the Block event on Thursday, July 19.

**17C.** Referring to Consent Calendar items, Councilmember Barnett commended the Parks and Recreation Commission/Community Services Commission for their efforts with regard to the Non-profit Social Services Agency Grant Program and also commended the Police Department for the Juvenile Diversion Program.

**17D.** Councilmember Brewer announced that the first Family Movie Night would be held on Saturday, July 21, at 8:00 p.m. at McMaster Park.

**17E.** Councilmember Sutherland announced that the Friends of Torrance Library would be holding a book sale at the Katy Geissert Civic Center Library on Saturday, July 21, from 9:00 a.m. to 4:00 p.m.

**17F.** Mayor Scotto reported that he attended the Parks and Recreation Commission's Golden Anniversary dinner last week and offered congratulations to Councilmember Gene Barnett for receiving the Distinguished Individual award; ExxonMobil for receiving the Distinguished Organization Award for the Green Team Program; and City employee Frank Duarte for receiving the Distinguished Staff award.

**17G.** Karen Fitch, resident, suggested that City employees, who commented on labor negotiations earlier in the meeting, take note of the Council's vote (Agenda Item 12A) not to increase their own pay.

**17H.** Mary Ann Reis, resident, noted that the Volunteer Center is located at Cravens and Engracia.

**17I.** Don Barnard, resident, asked about the rumor that councilmembers would be competing in the Hula Hoop contest at the Rock Around the Block event on Thursday.

**17J.** Bonnie Mae Barnard, Save Historic Old Torrance, requested that the Council take action to enable residents to take advantage of the Mills Act.

**17K.** Janet Payne, Torrance Historical Society, reported the Torrance Historical Society has begun work on a proposal for the City of Torrance in regards to Historical Preservation.

**18. EXECUTIVE SESSION**

Considered earlier in the meeting, see page 1.

**19. ADJOURNMENT**

At 10:20 p.m., the meeting was adjourned to Tuesday, July 24, 2007, at 5:30 p.m. for an executive session, with the regular meeting commencing at 7:00 p.m.

Attest:

/s/ Frank Scotto  
Mayor of the City of Torrance

/s/ Sue Herbers  
Sue Herbers,  
City Clerk of the City of Torrance

Approved on September 11, 2007