

July 18, 2000

**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 6:02 p.m.* on Tuesday, July 18, 2000, in City Council Chambers at Torrance City Hall.

*At 5:30 p.m., City Clerk Herbers announced publicly that there was no quorum present and that a quorum was expected at 6:00 p.m.

ROLL CALL

Present: Councilmembers Cribbs, Messerlian, Nowatka, Scotto, Walker, Witkowsky, and Mayor Hardison.

Absent: None.

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

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Agenda Item Agenda Item 16 was considered out of order at this time.

16. EXECUTIVE SESSION

At 6:02 p.m., pursuant to Government Code Sections 54957.6, 54956.9(b)(3)(C), and 54956.8, the Council recessed into a closed session to discuss matters listed on the meeting agenda.

The Council reconvened in Council Chambers at 7:19 p.m.

2. FLAG SALUTE/INVOCATION

The Pledge of Allegiance was led by Mayor Hardison.

City Clerk Herbers gave the invocation for the meeting.

3. AFFIDAVIT OF POSTING/WAIVE FURTHER READING

MOTION: Councilmember Cribbs 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, there being no objection, it was so ordered by Mayor Hardison.

MOTION: Councilmember Cribbs 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, there being no objection, it was so ordered by Mayor Hardison.

4. WITHDRAWN OR DEFERRED ITEMS

None.

5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS

Councilmember Cribbs announced a Parade 2000 debriefing meeting of the Ad Hoc Armed Forces Day Committee on Friday, July 21, at 9:30 a.m. in the Torrance Police Department Basement Assembly Room.

Councilmember Cribbs announced a meeting of the Citizen Development and Enrichment Committee on Wednesday, July 26, at 5:30 p.m. in the City Hall Third Floor Assembly Room to discuss the Madrona Marsh Nature Center.

Fire Chief Bongard announced that Mobil would be testing the siren on August 2 & 3, from 7 a.m. to 3 p.m., to test chime audibility.

City Clerk Herbers announced that the Torrance Municipal Code is now online through the City's website www.tornnet.com or directly through Book Publishing Company at <http://bpcnet.com/codes/torrance.htm>.

City Clerk Herbers invited the public to view the photographs of Parks & Recreation employee and Torrance Artist Guild member Carl Kaemerle as part of the City Clerk's continuing Art on View Program.

9. PLANNING AND ECONOMIC DEVELOPMENT

**9a. AMENDMENT TO CODE RE MAXIMUM SPEED LIMITS
Recommendation**

Recommendation of the Police Chief and Planning Director that City Council concur with staff recommendation to amend Section 61.10.3 of the Torrance Municipal Code to add "Subsection q, r, & s", which adds Plaza Del Amo between Madrona Avenue and Crenshaw Boulevard, Del Amo Boulevard between Western Avenue and Crenshaw Boulevard, and Maricopa Street between Maple Avenue and Crenshaw Boulevard to the list of locations within the City with a maximum speed limit of thirty-five miles per hour.

Transportation Planner Semaan reported that a survey conducted by the Planning Department concluded that the posted speed limits for these streets are the recommended speeds and that approval of this item will permit the Police Department to enforce the speed limits using radar equipment.

Police Chief Herren advised that these areas have been identified as areas that would benefit from radar enforcement to encourage the public to maintain safe speeds.

ORDINANCE NO. 3484

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
TORRANCE AMENDING SECTION 61.10.3 OF DIVISION 6
OF THE TORRANCE MUNICIPAL CODE RELATED TO POSTED
SPEED LIMITS WITHIN THE CITY**

MOTION: Councilmember Messerlian moved for the adoption of Ordinance No. 3484. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote.

MOTION: Councilmember Messerlian moved to approve the publication of a summary of the ordinance to be presented with the 2nd reading. The motion was seconded by Councilmember Cribbs and passed by unanimous roll call vote.

10. PUBLIC SAFETY

10a. AMENDMENT RE AGREEMENT FOR TOWING AND STORAGE SERVICES

Recommendation

Recommendation of the Police Chief that City Council approve an amendment to the no cost agreement by and between the City of Torrance and Van Lingen Towing for vehicle towing and storage services as permitted in the original agreement which was entered into by both parties on September 16, 1997.

Police Captain Paerels reported that the Police Department has enjoyed a long relationship with Van Lingen Towing; that they have been satisfied with the level of service provided and that, pursuant to provisions in the contract entered into on September 16, 1997, staff was recommending that the agreement be extended for one year under the same terms and conditions.

Councilmember Walker related his understanding that the Council had the option of extending the contract for two years and suggested extending it for that period.

Assistant City Manager Giordano offered clarification that, while the contract states that the agreement may be extended for an additional one- or two-year term, it was the direction of the Council at the time it was approved that the extension be limited to one year.

MOTION: Councilmember Cribbs moved to approve a one-year extension of C97-217. The motion was seconded by Councilmember Walker and passed by unanimous roll call vote.

11. ADMINISTRATIVE MATTERS

11a MODIFICATION OF RECRUIT RESOLUTION

Recommendation

Recommendation of the City Manager and the Police Chief that City Council adopt a revised Resolution covering Police and Fire Recruits modifying the pay range and health insurance contribution for Police Recruits.

In response to Councilmember Nowatka's inquiry, Police Chief Herren confirmed that Police Recruits are no longer issued Colt .45's as listed in the Resolution.

RESOLUTION NO. 2000-89

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
TORRANCE SETTING FORTH HOURS, WAGES AND
WORKING CONDITIONS FOR RECURRENT POLICE AND
FIRE RECRUITS FOR THE PERIOD STARING JULY 16, 2000**

MOTION: Councilmember Messerlian moved for the adoption of Resolution No. 2000-89 as amended to indicate the correct weapon issued. The motion was seconded by Councilmember Cribbs and passed by unanimous roll call vote.

11b. CONSIDERATION OF COUNCIL DARK NIGHTS

Recommendation

Recommendation of the City Manager that City Council consider Tuesday, August 8 and Tuesday, September 5, 2000, as Council dark nights.

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

12. HEARINGS

**12a. REQUEST TO TRANSFER CONTROL OF PARAGON COMMUNICATIONS,
D.B.A. TIME WARNER COMMUNICATIONS, TO AOL/TIME WARNER**

Recommendation

Recommendation of the City Manager that City Council continue the advertised public hearing of a request to transfer control of Paragon Communications D.B.A. Time Warner Communications to AOL/Time Warner due to a 30-day extension for review of the request.

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

Cable Television Administrator Smith advised that staff was recommending that the hearing be continued to August 22, 2000.

Mayor Hardison asked if there was anyone in the audience who wished to be heard on this matter. There being no requests to speak, Councilmember Nowatka offered the following motion:

MOTION: Councilmember Nowatka moved to continue the hearing to August 22, 2000. The motion was seconded by Councilmember Messerlian and passed by unanimous roll call vote.

Mayor Hardison noted that the hearing will be re-advertised.

12b. APPEAL RE 121 PASEO DE GRANADA
Recommendation

Recommendation of the Planning Commission that City Council:

- 1) Deny the appeal and approve as conditioned a Minor Hillside Exemption and a Waiver of the required front and sideyard setbacks to allow one-story additions under 14 ft. in height to an existing one-story, single family residence on property located in the Hillside Overlay District in the R-1 zone at 121 Paseo de Granada; and
- 2) Adopt Resolutions approving a minor Hillside Exemption and a Waiver. **MIS00-00067, WAV00-0006, DOUG KINNEY**

Mayor Hardison announced that this was the time and place for a public hearing on this matter and noted supplemental material available at the meeting. City Clerk Herbers confirmed that the hearing had been properly advertised.

Councilmembers indicated that a staff presentation was not necessary as they had sufficient information upon which to base their decision.

Mr. Douglas Kinney, 121 Paseo De Granada, applicant, stated that he concurred with the Planning Commission's findings and recommendation.

In response to Mayor Hardison's inquiry, Mr. Kinney indicated that he plans to retain the small fence at the edge of the backyard for safety reasons.

Mr. Brian Connors, 120 Via Colusa, appellant, stated that the proposed addition does not comply with the requirements of the Hillside Ordinance or meet the criteria for granting a Waiver. He maintained that the proposed extension on the west side of the house would overlook his bedrooms and backyard, intruding on his privacy; that the project was not in harmony with other properties in the vicinity due to its copper roof; and that it would have a harmful impact on land values as it would loom over properties below creating a sentinel effect. With regard to the Waiver, he contended that the applicant failed to demonstrate that strict enforcement of the required setbacks would result in unreasonable difficulties and that granting the Waiver for the east side would be detrimental to the adjacent property.

Responding to Mayor Hardison's inquiry, Mr. Connors provided clarification of his privacy concerns.

Mr. Kevin Atamaniuk, 125 Paseo De Granada, adjacent house to the east, stated that he has no objections to the project and believes that it will add value to his property. He noted that he was granted a Waiver when he built his addition two years ago and that he also has a five-foot side yard setback.

Mr. Herb Buehler, 124 Via Colusa, stated that he lives directly below the subject property and maintained that the proposed addition will exacerbate privacy problems.

Mayor Hardison indicated that she had viewed Mr. Buehler's property from Mr. Kinney's house and that she could not see into his home because of the patio cover. Mr. Buehler stated that he would like to remove the patio cover because it blocks the sunlight.

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

Councilmember Walker stated that he visited the site and did not observe that the proposed addition would violate anyone's privacy.

Noting that there are privacy problems inherent with tiered properties, Councilmember Witkowsky indicated that she had viewed the silhouette of the addition from the three appellants' properties and did not believe the addition would significantly impact their privacy. She voiced support for the project, noting that the roofline of the garage will actually be lowered.

Mayor Hardison asked if the Council would consider including a condition that non-reflective material be used on the roof. Noting that this issue has come up before, Councilmember Walker pointed that copper oxidizes to a non-reflective green color and related his opinion that the copper roof will be the outstanding feature of the Kinney's remodeled home. Councilmember Scotto observed that copper roofs become non-reflective within a short period of time.

MOTION: Councilmember Walker moved to concur with the staff recommendation to deny the appeal and approve the project as conditioned. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote.

RESOLUTION NO. 2000-90

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A MINOR HILLSIDE EXEMPTION AS PROVIDED FOR IN DIVISION 9, CHAPTER 1, ARTICLE 41 OF THE TORRANCE MUNICIPAL CODE TO ALLOW THE CONSTRUCTION OF FIRST STORY ADDITIONS TO AN EXISTING ONE-STORY RESIDENCE ON PROPERTY LOCATED IN THE HILLSIDE OVERLAY DISTRICT IN THE R-1 ZONE AT 121 PASEO DE GRANADA

MOTION: Councilmember Messerlian moved for the adoption of Resolution No. 2000-90. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote.

RESOLUTION NO. 2000-91

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A WAIVER AS PROVIDED FOR IN DIVISION 9, CHAPTER 4, ARTICLE 2 OF THE TORRANCE MUNICIPAL CODE TO ALLOW ENCROACHMENTS INTO THE REQUIRED SIDE AND FRONT YARD SETBACKS IN ASSOCIATION WITH THE CONSTRUCTION OF ONE STORY ADDITIONS TO AN EXISTING ONE-STORY SINGLE FAMILY RESIDENCE ON PROPERTY LOCATED IN THE R-1 ZONE AT 121 PASEO DE GRANADA

MOTION: Councilmember Messerlian moved for the adoption of Resolution No. 2000-91. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote.

14. SECOND READING ORDINANCES

14a. SECOND AND FINAL READING OF ORDINANCE NO. 3483

ORDINANCE NO. 3483

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING ARTICLE 32 OF CHAPTER 2 AND ARTICLE 35 CHAPTER 2 OF DIVISION 9 OF TORRANCE MUNICIPAL CODE RELATING TO PROPERTY MAINTENANCE AND NUISANCE ABATEMENT AND ADDING ARTICLE 38 TO DIVISION 9 OF THE TORRANCE MUNICIPAL CODE

City Attorney Fellows recommended that the ordinance be amended to include terminology allowing publication of a summary of the ordinance.

MOTION: Councilmember Messerlian moved for the adoption of Ordinance No. 3483 as amended. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote.

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The Redevelopment Agency reconvened at 8:05 p.m.; continued in joint session and recessed at 8:16 p.m.; and ultimately adjourned at 9:40 p.m.

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15. ORAL COMMUNICATIONS

Councilmember Messerlian commented on the number of volunteers and the amount of organization needed to put on the Torrance Air Fair and congratulated Nancy Clinton for a successful event.

Councilmember Nowatka echoed Mr. Messerlian's comments and added a compliment for Police Officer Sims for his extra efforts with the children at the event.

Councilmember Scotto commented on the successful Cultural Arts Center Foundation Gala held on Friday evening.

Councilmember Walker commended and congratulated the efforts of LA County Animal Control officers after witnessing a rescue of a puppy on the Harbor Freeway.

Councilmember Witkowsky gave kudos to Nancy Clinton and all her volunteers for the Air Fair, and passed along a compliment to the Torrance Police Department received in a recent letter.

Mayor Hardison spoke on the well-attended Air Fair and the TCACF Gala.

Helen Doyle complimented the Torrance Fire Department for the recent Shelter in Place meeting held at North High School and commented favorably on the cooperative efforts of the City and Mobil Oil.

Mrs. Doyle asked about the timeline for the Artesia Boulevard rehabilitation. City Manager Jackson responded that it would be a 1 ½ to 2 year project in 4 phases beginning in September or October with (1) water lines, (2) undergrounding of utilities, (3) infrastructure work, and (4) actual street reconstruction. Mayor Hardison stated that residents would be notified of the kickoff of the project.

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Councilmember Messerlian left City Hall at 8:10 p.m.

16. EXECUTIVE SESSION

At 8:16 p.m., the City Council recessed to closed session to consider matters listed on the meeting agenda. The Council reconvened in open session at 9:40 p.m. No formal action was taken on any matter heard in closed session.

17. ADJOURNMENT

At 9:40 p.m., the meeting was adjourned to Tuesday, July 25, 2000, at 5:30 p.m. for an executive session, with the regular meeting commencing at 7:00 p.m.