

August 21, 2001

**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 5:33 p.m. on Tuesday, August 21, 2001, in City Council Chambers at Torrance City Hall.

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.

16. EXECUTIVE SESSION

The Council immediately recessed to closed session to confer with the City Manager and the City Attorney on the agenda matters listed under 16a) Conference with Labor Negotiator; 16b) Conference with Legal Counsel – Anticipated Litigation; 16c) Conference with Legal Counsel – Existing Litigation; 16d) Public Employees Performance Evaluation pursuant to California Government Code Sections 54957.6, 54956.9(b), 54956.9(a) and 54957. Councilmember Scotto left City Hall at 6:00 p.m.

The Council reconvened in Council Chambers at 7:20 p.m. with all members present. No formal action was taken on any matter considered in closed session.

2. FLAG SALUTE/INVOCATION

The Pledge of Allegiance was led by Gardena Councilmember Ron Ikejiri.

Pastor Assistant Bertram Wang, South Bay Presbyterian Church, gave the invocation for the meeting.

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Mayor Hardison asked that the meeting be adjourned in memory of Donald Wilson, the builder who shaped modern Torrance, and Jack Brooks, the owner of Joslin Lumber.

Councilmember Walker noted that Don Wilson had an excellent reputation as a builder and was a much-loved member of the community.

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 hearing no objections, Mayor Hardison so ordered .

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 hearing no objections, Mayor Hardison so ordered.

4. WITHDRAWN OR DEFERRED ITEMS

Agenda Item 11g, a proposed addition to the agenda regarding pending legislation, was submitted after the posting of the agenda but was subsequently withdrawn.

5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS

Councilmember Scotto announced that the Veterans Memorial Committee would meet on Wednesday, September 19, 2001, at 5:30 p.m. in the Third Floor Assembly Room, City Hall. He invited everyone to share information on veterans who had died in service to ensure that their names would be on the monument.

6. COMMUNITY MATTERS

6a. RESOLUTION NO. 2001-90 RE DAVID RADER

RESOLUTION NO. 2001-90

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
TORRANCE HONORING DAVID A. RADER UPON HIS
RETIREMENT FROM THE CITY AFTER THIRTY-THREE
YEARS OF SERVICE

MOTION: Councilmember Messerlian moved for the adoption of Resolution No. 2001-90. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote.

To be presented at a later date.

6b. RESOLUTION NO. 2001-91 RE DAVID OWENS

RESOLUTION NO. 2001-91

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
TORRANCE HONORING DAVID C. OWENS UPON HIS
RETIREMENT FROM THE CITY AFTER THIRTY-THREE
YEARS OF SERVICE

MOTION: Councilmember Messerlian moved for the adoption of Resolution No. 2001-91. The motion was seconded by Councilmember Scotto and passed by unanimous roll call vote.

To be presented at a later date.

6c. RESOLUTION NO. 2001-92 RE ROBERT HENDERSON

RESOLUTION NO. 2001-92

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING ROBERT J. HENDERSON UPON HIS RETIREMENT FROM THE CITY AFTER THIRTY-ONE YEARS OF SERVICE

MOTION: Councilmember Messerlian moved for the adoption of Resolution No. 2001-92. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote.

To be presented at a later date.

6d. RESOLUTION NO. 2001-93 RE PAUL HOY

RESOLUTION NO. 2001-93

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING PAUL M. HOY UPON HIS RETIREMENT FROM THE CITY AFTER TWENTY-SEVEN YEARS OF SERVICE

MOTION: Councilmember Messerlian moved for the adoption of Resolution No. 2001-93. The motion was seconded by Councilmember Scotto and passed by unanimous roll call vote.

Mayor Hardison presented Resolution No. 2001-93 to Firefighter Paul Hoy, who accepted with appreciation. Fire Chief Bongard commended Firefighter Hoy for his service on the Fire Department, noting his diligence in maintaining fire-fighting equipment.

6e. RESOLUTION NO. 2001-94 RE THOMAS FAHRINGER

RESOLUTION NO. 2001-94

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING THOMAS H. FAHRINGER UPON HIS RETIREMENT FROM THE CITY AFTER TWENTY-SIX YEARS OF SERVICE

MOTION: Councilmember Messerlian moved for the adoption of Resolution No. 2001-94. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote.

To be presented at a later date.

6f. **RESOLUTION NO. 2001-95 RE JAMES SWING**

RESOLUTION NO. 2001-95

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING JAMES R. SWING UPON HIS RETIREMENT FROM THE CITY AFTER EIGHTEEN YEARS OF SERVICE

MOTION: Councilmember Messerlian moved for the adoption of Resolution No. 2001-95. The motion was seconded by Councilmember Scotto and passed by unanimous roll call vote.

Mayor Hardison presented Resolution No. 2001-95 to Firefighter James Swing, who accepted with appreciation. Fire Chief Bongard commended Firefighter Swing for his service on the Fire Department, noting the new programs he implemented as Public Education Officer.

6g. **COMMISSION APPOINTMENTS**

Recommendation

Recommendation of the **City Clerk** that City Council review applications and make appointments to fill vacancies on the Cable TV Advisory Board and Community Services Commission.

Georgia Perkins was appointed to the Cable Television Advisory Board and Jack Hachmeister was appointed to the Community Services Commission by unanimous ballots. City Clerk Herbers administered the oath of office to the new commissioners.

7. **CONSENT CALENDAR**

7a. **APPROVAL OF MINUTES – JULY 10 AND JULY 17, 2001**

7b. **CONTRACT RENEWAL RE COMMUTER TRANSPORTATION CONSULTANT**

Recommendation

Recommendation of the **City Manager** that City Council approve the renewal of contract C2000-183 with Kim Fuentes, for the Commuter Transportation Consultant Rideshare Program coordination in the amount of \$65,520 from September 7, 2001 to September 6, 2002, from AB2766 funds.

7c. **APPROVAL OF FINAL PARCEL MAP NO. 25729**

Recommendation

Recommendation of the **Engineering Director** that City Council:

- 1) Approve Final Parcel Map No. 25729 for one parcel in the M-2 zone located at the southeast corner of Abalone Avenue and 220th Street, which substantially conforms to and has met all conditions of approval of the Tentative Map;
- 2) Approve the abandonment of two sewer easements and acceptance of a ten-foot sewer easement; and
- 3) Accept a corner radius street easement.

7d. **CONTRACT WITH PEOPLESOFT USA FOR SOFTWARE MAINTENANCE**

Recommendation

Recommendation of the **Information Technology Director** and **Human Resources Director** that City Council authorize a contract with Peoplesoft USA, Inc. to reinstate software maintenance for the Peoplesoft Human Resources and Benefits Administration modules in the amount of \$25,728.

7e. **PURCHASE OF ELECTRONIC DATABASES**

Recommendation

Recommendation of the **City Librarian** that City Council authorize the purchase of three electronic databases from EBSCO, Inc., for \$29,365.

7f. **ACCEPTANCE AND APPROPRIATION OF DONATION**

Recommendation

Recommendation of the **City Librarian** that City Council accept and appropriate a donation made to the Library from the Torrance Teachers Association for the 2002 Summer Reading Program.

7g. **AUTHORIZATION FOR SALE OF SURPLUS VEHICLES**

Recommendation

Recommendation of the **Acting General Services Director** that City Council authorize the sale of four (4) surplus/obsolete vehicles to Nationwide Auction Company for public sale in conjunction with Consignor Asset Management Intranet (CAMI).

7h. **CONTRACT RE BODYWORKS EQUIPMENT, INCORPORATED**

Recommendation

Recommendation of the **Acting General Services Director** that City Council approve a contract with Bodyworks Equipment, Incorporated of Monrovia, California, in an amount of \$50,000 for the service and repair of Heil refuse truck bodies for period July 1, 2001 through June 30, 2002.

7i. **PURCHASE ORDER RE POLICE MOTORCYCLES**

Recommendation

Recommendation of the **Acting General Services Director** and the **Police Chief** that City Council authorize a purchase order be issued in an amount not to exceed \$45,225.50 to Pomona Valley Kawasaki of Ontario, California for the purchase of five (5) replacement 2002 Kawasaki Police KZ1000-P motorcycles.

7j. **APPROVAL OF GUIDELINES FOR NON-PROFIT ARTS ORGANIZATION GRANT PROGRAM**

Recommendation

Recommendation of the **Torrance Cultural Arts Commission** and **Parks and Recreation Director** that City Council approve guidelines for implementation of the Grant Program for Non-Profit Arts Organizations.

7k. **AMENDMENT OF EMPLOYMENT AND TRAINING AGREEMENT**

Recommendation

Recommendation of the **Human Resources Director** that City Council approve the execution of Amendment Two to the agreement C99-258 with the City of Long Beach through June 2002 for training services connected with the Alameda Corridor Project.

7l. **AUTHORIZATION TO LEASE SPACE TO I A M CARES**

Recommendation

Recommendation of the **Human Resources Director** that City Council approve the execution of a lease with the International Association of Machinists Center for Administering Rehabilitation and Employment Services (I A M CARES).

7m. **CONTRACT WITH L.A. COUNTY RE SUMMER YOUTH PROGRAM**

Recommendation

Recommendation of the **Workforce Investment Network (WIN) Board** and the **Human Resources Director** that City Council execute a contract with the Los Angeles County Department of Community and Senior Services (DCSS) for \$123,579.

7n. **CONTRACT WITH REDONDO BEACH FOR RECRUITMENT AND SCREENING SERVICES**

Recommendation

Recommendation of the **Workforce Investment Network (WIN) Board** and the **Human Resources Director** that City Council execute an agreement for recruitment and screening services with the City of Redondo Beach for a not to exceed total of \$150,000 through August 31, 2001.

7o. **PURCHASE ORDER RE ANNUAL SOFTWARE MAINTENANCE CONTRACT**

Recommendation

Recommendation of the **City Librarian** and the **Communications & Information Technology Director** that City Council authorize a purchase order for one year of software maintenance and support to Data Research Associates, Inc. for an amount not to exceed \$38,900.

7p. **CONTRACT RE LARGE METER TESTING AND REPAIR PROGRAM**

Recommendation

Recommendation of the **Engineering Director** that City Council:

- 1) Accept the proposal submitted by Wheeler Meter Maintenance for large meter testing and repair program (B2001-25) for fiscal year 2001-2002 and award a contract in the amount of \$54,520;
- 2) Reject all other proposals; and
- 3) Authorize the Mayor to execute and the City Clerk to attest to said contract.

7q. **AMENDMENTS TO AGREEMENTS WITH LAUSD AND SCROC**

Recommendation

Recommendation of the **Workforce Investment Network (W/N) Board** and the **Human Resources Director** that City Council authorize the execution of Amendment One to agreement C2001-077 with the Los Angeles Unified School District (LAUSD) and agreement C2001-078 with Southern California Regional Occupational Center (SCROC).

7r. **TRANSFER OF FUNDS FROM CIVIC CENTER LIBRARY BASEMENT RENOVATION PROJECT TO UPPER LEVEL PROJECT**

Recommendation

Recommendation of the **City Librarian** and the **Acting General Services Manager** that City Council transfer \$19,500 from the Civic Center Library Basement Renovation Project (FEAP-113) to the Civic Center Library Upper Level Renovation Project (FEAP-248) to develop plans to remodel the upper level of the Civic Center Library.

7s. **RENEWAL OF EMPLOYMENT PRACTICES LIABILITY INSURANCE**

Recommendation

Recommendation of the **Human Resources Director** that City Council approve the renewal purchase of Employment Practices Liability Insurance for the period of August 18, 2001 to August 18, 2002 from Robert F. Driver at a premium of \$49,500.

7t. **PURCHASE ORDER RE READY MIX CONCRETE AND SLURRY MIX**

Recommendation

Recommendation of the **Street Services Director** that City Council authorize a purchase order with Associated Ready Mix Concrete of Newport Beach, California, in the anticipated amount of \$359,720 for ready-mix concrete, class "A", class "C" and slurry mix, on an as needed basis for a two (2) year period. (B2001-26)

7u. FY 2001-2002 CLAIM FOR TRANSPORTATION DEVELOPMENT ACT AND STATE TRANSIT ASSISTANCE FUNDS

Recommendation

Recommendation of the **Transit Director** that City Council authorize the City Manager to execute and the Transit Department to submit the annual claim to the Los Angeles County Metropolitan Transportation Authority (MTA) for \$4,045,358 in Transportation Development Act (TDA) funding and \$514,190 in State Transit Assistance (STAF) funding for the Torrance Transit System in FY 2001-2002.

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

8. COMMUNITY SERVICES

8a. CONTRACT RE SUNDAY STAFFING FOR CIVIC CENTER LIBRARY

Recommendation

Recommendation of the **City Librarian** that City Council authorize a contract in an amount not to exceed \$47,032 with Advanced Information Management (AIM) to provide contract personnel for the Katy Geissert Civic Center Library for 24 selected Sundays between October 21, 2001 through June 2, 2002. Total expenditure of \$59,304 includes the contract amount and the City's costs for a Sr. Librarian, custodian, and security guard (\$12,272).

City Librarian Buckley summarized the proposal to resume Sunday hours of operation at the Katy Geissert Civic Center Library from October 21, 2001 through June 2, 2002, using contract employees along with one library staff member to act as supervisor. He noted that Sunday service was eliminated in 1994 when the City experienced an economic downturn.

In response to Mayor Hardison's inquiry, City Librarian Buckley stated that it was difficult to gauge the demand for Sunday service because, while the recently remodeled Civic Center Library might prove to be an attraction, the Torrance Library now provides 24/7 access to databases and resources via the Internet and there are several other local libraries open on Sundays.

Mayor Hardison voiced concerns that should the initiative to repeal street lighting assessments be approved by voters in November, it might be necessary to end this service due to a lack of funding. She asked about the minimum start-up time, and Library Services Manager Weiner estimated that it would take one to two months to institute the program, indicating that it would take a minimum of eight hours to train each worker.

City Manager Jackson noted that, as street lighting assessments are already being collected for this fiscal year, the program could proceed through June of 2002 even if the initiative succeeds.

Library Commissioner Roberts offered clarification regarding Commissioners' comments at the August 13 Library Commission meeting as reflected in the minutes and voiced support for Sunday library service.

Library Commissioner Watson also voiced support for the program, noting that many times Sunday is only day working parents can take their children to the library.

MOTION: Councilmember Messerlian moved to concur with the staff recommendation to authorize a one-year contract for Sunday service from October 21, 2001 through June 2, 2002. The motion was seconded by Councilmember Cribbs and passed by unanimous roll call vote.

11. ADMINISTRATIVE MATTERS

11a. CONTINUATION OF STATE OF LOCAL EMERGENCY

Recommendation

Recommendation of the **City Manager** and the **City Attorney** that City Council continue the state of local emergency, proclaimed March 2, 2001 for the properties located on Carolwood Drive and Singingwood Drive.

Building and Safety Director Isomoto reported that the affected homeowners have been reviewing preliminary information and conceptual ideas on how to address the problems with their consultant.

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

11b. DESIGNATION OF VOTING DELEGATE FOR LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE

Recommendation

Recommendation of the **City Manager** that City Council approve the designation of voting delegate and voting alternate to represent the City of Torrance at the League of California Cities annual business meeting on September 15, 2001.

MOTION: Councilmember Messerlian moved to designate Councilmember Witkowsky as voting delegate and and Councilmember Nowatka as alternate. The motion was seconded by Councilmember Cribbs, and hearing no objection, Mayor Hardison so ordered.

11c. REVISED CLASS SPECIFICATIONS FOR PROGRAMMER ANALYST AND SYSTEMS ANALYST

Recommendation

Recommendation of the **Human Resources Director** and the Civil Service Commission that City Council approve the following:

- 1) Revise the class specification for Programmer Analyst and retitle the classification as Information Technology Analyst;
- 2) Revise the class specification of Systems Analyst; and

- 3) In addition, the **Human Resources Director** recommends adoption of an amendment to the Resolution governing employees represented by the Torrance Supervisory and Professional Association to implement the recommended salary ranges.

Senior Human Resources Analyst Lawrence presented the staff report per written material of record.

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

RESOLUTION NO. 2001-96

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 (TPSA)

MOTION: Councilmember Messerlian moved for the adoption of Resolution No. 2001-96. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote.

11d. RED GUM LERP PSYLLID INFESTATION OF EUCALYPTUS TREES UPDATE

Recommendation

Recommendation of the **Street Services Director** and **Streetscape Team** that City Council review the update on the red gum lerp psyllid infestation of eucalyptus trees on Torrance Boulevard and

- 1) Select Option 1. (Maintain status quo – “wait and see” approach);
- 2) Provide direction on possible replacement trees, in regards to
 - a) Deciduous vs. evergreen trees,
 - b) Monoculture vs. variety of trees.

With the aid of slides, Administrative Analyst Drakodaidis provided background information about the red gum lerp psyllid infestation of the city’s eucalyptus trees; reported on Dr. Donald Dahlsten’s efforts to control the pest using Australian wasps, which are natural predators of the psyllid; and noted that, to date, those efforts have had little or no effect. He discussed the pros and cons of the following options regarding eucalyptus trees along Torrance Boulevard:

- 1) Maintain the status quo and take a “wait and see” approach;
- 2) Begin removal and replacement of all trees;
- 3) Divide the boulevard into four districts and replace trees in phases by district;
or
- 4) Remove and replace trees on a limited basis.

Mr. Drakodaidis advised that staff was also seeking direction with regard to the type of replacement trees to be used, deciduous versus evergreen trees, and monoculture versus a variety of trees.

Dr. Donald Dahlsten, UC Berkeley entomologist, noted that the red gum lerp psyllid infestation is a statewide problem and reported that the Australian wasp has established itself in four areas within California, including the Palos Verdes landfill. He stated that he was hopeful that the wasps could still produce the desired results, but explained that it takes a great deal of patience as well as a lot of funds to achieve biological control. He thanked the City of Torrance for supporting his efforts.

Responding to questions from Councilmembers, Dr. Dahlsten discussed the advantages of mixing cultures rather than planting one species of tree; expressed confidence that the City's arborists were adequately monitoring the situation so that the affected trees do not pose a safety risk; and stated that he believed the prognosis for the trees was good, noting that the psyllid population seems to be slowly declining.

Councilmember Scotto asked about expanding the monitoring program to other parts of the city. Dr. Dahlsten explained that he does not have funding or manpower to monitor additional sites and that he is currently monitoring 26 sites throughout the state and the psyllid population density is consistent at all of them so further testing is not warranted. He advised that the wasps tend to migrate very easily and that should it become necessary, City staff could move them to other areas suffering from psyllid infestation once they become established along Torrance Boulevard.

Street Services Director Bell reported on the City's role in the monitoring process.

In response to Mayor Hardison's inquiry, Dr. Dahlsten indicated that he has not been able to determine what is different about the sites where the wasp has become established.

Mayor Hardison stated that she did not favor removing any trees unless it was absolutely necessary; and Councilmember Walker commented that he thought Option 1, maintaining the status quo, was the only acceptable alternative.

MOTION: Councilmember Walker moved to select Option 1. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote.

A brief discussion ensued regarding replacement trees. Councilmember Messerlian, echoed by Councilmember Witkowsky, voiced his preference for replanting with a single species of evergreen trees in order to maintain the current look and feel of Torrance Boulevard.

At Mayor Hardison's request, Streetscape Manager Chamness explained the difference between deciduous and evergreen trees, noting that eucalyptus trees are classified as evergreen trees as they retain their leaves year round.

Street Services Director Bell noted that one of the evergreen trees recommended by staff was the camphor tree, which has been planted along Cabrillo between Plaza del Amo and Sepulveda Boulevard. Councilmember Scotto stated that he highly recommended camphor trees because they create a nice canopy, are relatively clean, and have roots that do not damage sidewalks.

MOTION: Councilmember Messerlian moved to replace trees along Torrance Boulevard with monoculture evergreen trees should it become necessary. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote.

11e. PRESERVATION OF MURAL AT 1220 ENGRACIA

Recommendation

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

- 1) Direct staff to obtain a license agreement with the Employment Development Department (EDD) regarding restoration of the mural on the building at 1220 Engracia;
- 2) Approve the restoration of the mural at the EDD building at 1220 Engracia;
- 3) Direct staff to seek corporate and other private donations to fund the renovation of the mural which is \$5,700; and
- 4) Direct staff to develop an agreement with an appropriate charitable non-profit organization to be the agency which collects the donations.

In response to Mayor Hardison's inquiry, Assistant to the City Manager Keane confirmed that once the mural was restored, it would cost very little to maintain it and there was a chance the Mural Conservancy of Los Angeles would take over this expense.

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

11f. ELECTRICITY UTILITY USERS' TAX UPDATE

Recommendation

Recommendation of the **Finance Director** as to a City utility users' tax rebate on possible unanticipated tax received as a result of recent electricity rate increases.

Finance Director Tsao provided an update on revenues from the City's utility users' tax on electrical usage. He explained that while the City Council, during the budget process, had committed to rebating utility users' taxes collected in excess of the normal projected growth of 3%, the City has not seen a dramatic increase in revenues. He advised that revenues from July 1, 2000 to June 30, 2001 were up only 2% from the previous fiscal year in contrast to FY 1999-2000 when revenues increased 6.7% from the prior year. He commented on recent conservation efforts, indicating that businesses and residents have averaged a 14% decrease in electricity consumption since March of 2001. He noted that there is lag of approximately 60 to 90 days between the time energy is consumed and the time taxes are remitted to the City so there still could be an increase in revenues as a result of recent rate increases. He recommended that the Council direct staff to return with an update in three months.

Councilmember Cribbs stated that she would prefer to have a procedure in place for rebating or crediting excess taxes so that residential and commercial users would be aware of how the process will work and have confidence that the City will follow through on its commitment.

City Manager Jackson advised that staff would return within the next month with a recommendation.

Councilmember Scotto questioned whether the 6.7% increase in utility users' tax revenues in FY 1999-2000 was unusual. Finance Director Tsao explained that one of the largest consumers of energy is an industrial use (ExxonMobil) which accounts for between 30 and 60% of the electricity consumed in any given month, depending on their production, and that that has a great impact on the City's revenues.

Noting that ExxonMobil was shut down for approximately 45 days in 2000 and has been in full production in 2001, Councilmember Scotto indicated that he favored having a procedure in place to rebate any increase in utility users' tax revenues over 7%.

Councilmember Cribbs stated that she would also like staff to investigate whether anything could be done for businesses within Torrance that are unable to achieve a significant reduction in their energy usage.

City Manager Jackson stated that although he realized that businesses have been harder hit by electricity rate increases than residential users, it would not be feasible to do anything other than an across-the-board pro rata rebate or credit.

Mr. Scott Gobble, representing Southern California Edison, indicated that the company has had preliminary discussions with the City about the rebate and that SCE would need approximately 45 – 60 days to implement any rebate program. He explained that electricity bills could be modified to temporarily reduce the percentage rate of the City's utility users' tax, but noted that it would have to be an across-the-board reduction for a set period of time.

MOTION: Councilmember Scotto moved to direct staff to return with an update on Utility Users' Tax revenues in three months. The motion was seconded by Councilmember Walker and passed by unanimous roll call vote.

MOTION: Councilmember Cribbs moved to direct staff to return within a month with a procedure to be used to rebate money to ratepayers in the event of a windfall to the City through its Utility Users' Tax. The motion was seconded by Councilmember Messerlian and passed by unanimous roll call vote.

Management Associate Wren announced that the City would be hosting an Energy Efficiency Expo for businesses on Thursday, September 13, 2001, from 8:00 a.m. to 10:00 a.m. in the Cultural Arts Center Toyota Meeting Hall and that further information was available through the City Manager's office.

11g. SB 910 RE HOUSING ELEMENTS – FINES, PENALTIES, LITIGATION

Recommendation

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

- 1) Affirm opposition to SB 910 authored by Senator Joe Dunn ; and
- 2) Oppose SB 262 in the event that SB 262 is amended to include the punitive measures from SB 910.

This item was submitted after the posting of the agenda and was subsequently withdrawn due to action taken by the California legislature.

12. HEARINGS

12a. DIV01-00015: MAUPIN DEVELOPMENT

Recommendation

Recommendation of the **Planning Director** that City Council approve the appeal and adopt a Resolution to approve as conditioned a Division of Lot (DIV01-00015) to allow the subdivision of one (1) lot into three (3) lots on property located in the R-1 zone in the Hillside Overlay District at the northwest corner of Henrietta Street and Edgemere Drive. DIV01-00015: MAUPIN DEVELOPMENT

Planning Manager Isomoto presented the staff report per written material of record. Referring to the Average Lot Size Survey Map, she noted the size of surrounding lots; reviewed the Planning Commission's action on this matter; and discussed staff's recommendation for approval of the proposed Division of Lot. She advised that subdividing this parcel into two lots would result in lots that would be larger than all but one lot within the 300-foot radius used to calculate the average lot size and that the resulting lots would allow for the development of residences up to 6,000 square feet. Addressing traffic safety concerns, she advised that a transportation planner had reviewed the site and made recommendations to ensure the safety of the easternmost driveway when the property is developed. She noted that the intersection is controlled by four-way stop signs and that there have been no accidents recorded from 1995 to the present.

In response to Councilmember Messerlian's inquiry, Planning Manager Isomoto confirmed that 29 of the 43 lots in the survey area are below the average lot size and 26 of the 43 lots are below the average lot width.

Mr. Douglas Maupin, representing Maupin Development, 2351 W. 235th Street, urged approval of the subdivision, noting that the proposed three lots, at 6580, 6600 and 7150 square feet, are much larger than City's 6000 square-foot minimum lot size and very close to the average lot size in the neighborhood. He maintained that the average lot size was skewed by a few unusually large lots that were necessitated by the topography of the land and curving streets. He pointed out that just beyond the 300-foot radius there are several lots the same size or smaller than the lots proposed. He stated that he believed the proposed lots were in conformance with the rest of the neighborhood and that the criteria for granting an exception to Code standards for lot size had been met.

Mayor Hardison questioned why the parcel was not divided into three equal lots, and Mr. Maupin explained that Planning staff had recommended that the corner lot be 10 feet wider to provide an extra 10-foot setback on Henrietta Street.

Mr. Arnold Woo, 20551 Vaccaro Avenue, voiced his opposition to the proposed Division of Lot, citing the following reasons: 1) the subdivision would create three substandard-size lots which do not meet the minimum lot area and width requirements of TMC §92.29.31; 2) the subdivision does not qualify for an exception under §92.29.31(b); 3) the substandard lots would result in higher density and over-development; and 4)

denying the subdivision would preserve the character of the neighborhood and the quality of life in Torrance by avoiding over-development. He noted that he had detailed his concerns in his letter of August 15, 2001 (of record) and submitted a petition signed by approximately 100 residents who are opposed to the Division of Lot. He took issue with staff's conclusion that subdividing the parcel into two lots would allow residences of up to 6,000 square feet, stating that homes in the Hillside Overlay District may not exceed 14 feet in height and a one-story home on a 10,000 square-foot lot would be limited to approximately 5,000 square feet including the garage.

Mayor Hardison offered clarification that two-story homes are permitted in the Hillside Overlay District and explained how the City controls density by limiting the Floor Area Ratio (FAR). She voiced concerns that people who signed Mr. Woo's petition might not have understood that dividing the parcel into only two lots would likely result in substantially larger homes.

Mr. Woo stated that neighbors understood that larger lots could conceivably mean larger homes, but felt that perhaps with a larger lot someone might be inclined to build a single-story home with open space for a pool, Jacuzzi or tennis court instead of building out to the maximum.

Mr. Michael Stary, 5634 Marialinda Street, maintained that there was nothing unique about this parcel that would support granting an exemption to lot size standards; pointed out that the Torrance Municipal Code sets out a very clear mathematical formula for calculating lot size and lot width requirements; and contended that by approving this subdivision, the City would be setting a precedent which would make it difficult to enforce the Code in the future.

Mr. Lonnie Cope, 20409 Tomlee Avenue, voiced concerns that the homes built on the three lots would have only the minimum five-foot side yard setbacks, which would not be consistent with the rest of the neighborhood.

Planning Manager Isomoto advised that side yard setbacks must be 10% of the width of the lot.

Returning to the podium, Mr. Maupin commented on his experience as a developer in the City of Torrance and reiterated his belief that the parcel meets the four requirements listed in TMC §92.29.31(b) for granting an exception to lot size standards.

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

Councilmember Walker stated that he concurred with staff's recommendation and thought that having two 10,000 square-foot lots would be incredibly inappropriate as homes twice the size of others in the neighborhood could be built on them. He noted that Mr. Woo's lot and the two lots adjacent to him combined are smaller than the proposed three-lot subdivision.

Councilmember Scotto echoed Councilmember Walker's remarks, commenting on a recent case where there was strong opposition from neighbors to the building of two large homes on a similarly sized parcel in another area of Torrance. He noted that

lots are usually developed to the fullest extent possible to make a project financially feasible.

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

RESOLUTION NO. 2001-97

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A DIVISION OF LOT TO ALLOW ONE (1) LOT TO BE SUBDIVIDED INTO THREE (3) LOTS ON PROPERTY LOCATED IN THE R-1 ZONE AT THE NORTHWEST CORNER OF HENRIETTA STREET AND EDGEMERE DRIVE

DIV01-00015: MAUPIN DEVELOPMENT

MOTION: Councilmember Messerlian moved for the adoption of Resolution No. 2001-97. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote.

*

The Redevelopment Agency met from 9:58 p.m. to 9:59 p.m.

15. ORAL COMMUNICATIONS

City Clerk Herbers announced that West Torrance Homeowner's Association would be holding an organizational meeting on August 22.

Councilmember Cribbs asked to see a comprehensive plan to upgrade the entire McMaster complex in north Torrance including the Library and the Tillim Center in order to be prepared to use the \$75,000 made available through Assembly member Nakano.

Councilmember Messerlian invited everyone to a free Torrance Symphony Concert in the Park at Wilson Park on Sunday, August 26.

Councilmember Scotto shared the first place trophy won in the Transit Department's Bus Roadeo City Slicker Division and acknowledged the second place finish of Councilmember Nowatka and third place finish of City Clerk Herbers.

Councilmember Scotto noted the poor condition of the vacant lot at the corner of Anza and Torrance Boulevard and the parkway on the south side of Sepulveda Boulevard near Ocean. Planning Director Gibson reported that plans have been approved to expand the Pavilions grocery store at Anza and Torrance Boulevard, which will incorporate the vacant lot into the parking lot, and that the Sepulveda Boulevard parkway is scheduled to be landscaped as part as the back-on/side-on Capital Improvement Project.

Councilmember Witkowsky invited the public to purchase tickets to the City of Torrance Employee Variety Show to benefit the American Cancer Society on Friday, September 21, at 7:00 p.m.

Mayor Hardison commented on the Transit Bus Roadeo and commended the skills of the city's drivers.

Mayor Hardison noted that back-on/side-on improvements are on the list of items that could potentially be cut if the repeal of the street lighting assessment district is successful.

Mr. Milan D. Smith, Torrance, representing Southwest Value Partners, owners of the land being proposed for residential housing behind Del Amo Financial Center, asked for a 60-day continuance of the appeal scheduled before the City Council on August 28.

A brief discussion ensued, with City Attorney Fellows noting that the Brown Act requires a 2/3 vote of the City Council to add any item to the agenda after it has been posted. He further noted that this item would not be considered an emergency, that being the only other way to reduce the 2/3 vote requirement.

A motion was made by Councilmember Nowatka, seconded by Mayor Hardison, to add the consideration of a continuance to the agenda. The motion failed as reflected in the following roll call vote:

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

Transit Administrator Mills expressed appreciation for the Council's support of the Bus Roadeo and thanked those who were able to participate.

16. EXECUTIVE SESSION

Considered earlier in the meeting, see page 1.

17. ADJOURNMENT

At 10:30 p.m., the meeting was adjourned to August 28, 2001, at 5:30 p.m. for an executive session, with the regular meeting commencing at 7:00 p.m. in Council Chambers.

***Adjourned in memory of
Donald Wilson and Jack Brooks***

Attest:

Mayor of the City of Torrance

Sue Herbers
City Clerk of the City of Torrance

Approved on September 25, 2001

Sue Sweet
Recording Secretary

City Council
August 21, 2001