

**TORRANCE AIRPORT COMMISSION AGENDA
MAY 29, 2024
SPECIAL MEETING
5:00 P.M. WEST ANNEX COMMISSION MEETING ROOM**

**NOTICE OF SPECIAL MEETING
TORRANCE AIRPORT COMMISSION**

TO: Chair Kathy Cohen
Commissioner John De Rago
Commissioner Gary Seferian
Commissioner Rick Marshall
Commissioner Jeffrey Love
[Daily Breeze]

NOTICE IS HEREBY GIVEN that the Torrance Airport Commission will conduct a special meeting beginning at 5:00 p.m. on 29th day, May, 2024, in the West Annex Commission Room.

Said special meeting shall be for the purpose to Cure and Correct the Action Taken in Violation of the Brown Act at the Airport Commission's April 11, 2024 Meeting. Special Meeting, as described in the attached agenda.

Dated this 28th day of May, 2024

Gerry Spoke with Chair Cohen by phone.

Kathy Cohen, Chair

I, Rebecca Poirier, City Clerk of the City of Torrance, do hereby certify, under penalty of perjury, under the laws of the State of California, that the aforementioned notice of special meeting was delivered to each member of the Torrance Airport Commission, and sent by e-mail to each member of the press listed in the aforementioned notice at least 24 hours prior to the time set for the special meeting.

Dated this 28th day of May, 2024

Gerry Pirela
Gerry Pirela, Commission Liaison

Honorable Chair and Members
of the Airport Commission
City Hall
Torrance, California

Members of the Commission:

SUBJECT: General Services - Cure and Correct the Action Taken in Violation of the Brown Act at the Airport Commission's April 11, 2024 Meeting.

RECOMMENDATION

The General Services Director recommends that the Airport Commission cure and correct the action taken in violation of the Brown Act at their April 11, 2024 meeting by voting to withdraw the motion.

BACKGROUND/ ANALYSIS

At its meeting of April 11, 2024, the Airport Commission took action to make a motion and vote on a motion that was not on the agenda. The motion was made to empower the Chair of the Airport Commission to set up a meeting with the City Manager, the Mayor, and community member Jim Gates to answer questions from Mr. Gates relating to the taxiway lighting project and to return with a report to the Airport Commission.

The motion was approved by a vote of 5 – 0 with Commissioner De Rago absent. In so doing, the Airport Commission took action as defined in Government Code § 54952.6 because:

- A majority of the members made a collective decision
- A majority of the members took an actual vote when sitting as a body or entity, upon a motion, proposal, resolution, order or ordinance.

The action violated the Brown Act because:

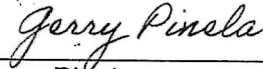
- It was taken on a matter that was not properly described in the agenda for the open meeting at which the discussion was taken on an item not appearing on the posted agenda in violation of Government Code § 54954.3(a) and action was taken in violation of Government Code § 54954.2(a)(3), and none of the exceptions specified in Government Code § 54954.2(b) was satisfied.

As you are aware, the Brown Act creates specific agenda obligations for notifying the public with a "brief description" of each item to be discussed or acted upon, and also creates a legal remedy for illegally taken actions — namely, the judicial invalidation of them upon proper findings of fact and conclusions of law.

Pursuant to that provision (Government Code Section 54960.1), the City Council has demanded that the Airport Commission hold a special meeting cure and correct the taken action in violation of the Brown Act on April 11, 2024.

Staff recommends that the Airport Commission withdraw the motion of April 11, 2024 to empower the Chair of the Airport Commission to set up a meeting with the City Manager, the Mayor, and community member Jim Gates to answer questions from Mr. Gates relating to the taxiway lighting project and to return with a report to the Airport Commission.

Respectfully Submitted,



Gerry Pinela
General Services,
Facilities Operations Manager

Attachments:

A – City Council Agenda Item 9E of May 7, 2024