

I N D E XCity Council - January 18, 1972

<u>SUBJECT:</u>	<u>PAGE</u>
<u>OPENING CEREMONIES:</u>	
1. Call to Order	1
2. Roll Call	1
3. Flag Salute	1
4. Invocation	1
<u>STANDARD MOTIONS:</u>	
5. Approval of Minutes	1
6. Approval of Demands	1
7. Motion to Waive Further Reading	1
8. Council Committee Meetings	2
<u>PLANNING AND ZONING MATTERS:</u>	
9. Resolution No. 72-14 re: V 71-11, First Baptist Church	2
10. Service Station Standards	2,3
<u>REAL PROPERTY:</u>	
11. Resolution No. 72-15 re: renewal of license agreement with Southern California Edison Company	3
12. Disposal of Surplus Land	3,4
13. Withdrawn	
<u>TRAFFIC AND LIGHTING:</u>	
14A-B Request for additional information on alternatives to proposed Torrance Freeway	4-10
14C Resolution determining that certain freeway routes would be detrimental to people of Torrance	4-10
15. Policy for Sandblasting Charges	10
<u>FISCAL MATTERS:</u>	
16. Appeal for Relief re: Business License Fee for Oil Wells	10-12
<u>AIRPORT MATTERS:</u>	
17. Lease with FAA Localizer Installation and Operation	12
18. Development of Southwest Portion of Torrance Airport	12-14
<u>REAL PROPERTY:</u>	
19. Resolution No. 72-17 authorizing contract with Howard Martin	15
<u>PARK AND RECREATION:</u>	
20. Advisory Commissioners Workshop	15
<u>SECOND READING ORDINANCES:</u>	
21. Ordinance No. 2305	15
<u>NONCONTROVERSIAL ITEMS:</u>	
22. Expenditures over \$300	16
23. Proposal from Los Angeles County re: solicitation application	17
<u>PLANNING AND ZONING HEARINGS:</u>	
24. Continued Hearing - Apartment Development and Maintenance Standards	18 - 21
<u>ADDENDUM ITEM:</u>	
25. Resolution No. 72-13 commending Jesse T. Hill	21
<u>ORAL COMMUNICATIONS:</u>	
26. City Librarian West re: postponement of Southeast Branch dedication	22
27. Councilman Brewster re: Airport master planning	22

Ava Cripe
Minute Secretary

i.

City Council
January 18, 1972

<u>SUBJECT:</u>	<u>PAGE</u>
<u>ORAL COMMUNICATIONS (Cont.)</u>	
28. Councilman Brewster re: apartment standards/freeways	22
29. Councilman Brewster re: Item 14, Freeway Resolution	22
30. Councilman Brewster re: City of Redondo Beach action re: freeways	22
31. Councilman Sciarrotta re: Supreme Court decision on Reapportionment	23
32. Councilman Sciarrotta re: tribute to Mr. Bert Lynn	23
33. Councilman Wilson re: "Scouter of the Year" Robert Church and Scout Month	23

Adjourned at 10:40 P.M. to 6:00 P.M. Tuesday, January 25, 1972.

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Ava Cripe
Minute Secretary

ii.

City Council
January 18, 1972

January 18, 1972

MINUTES OF A REGULAR MEETING
OF THE TORRANCE CITY COUNCIL

OPENING CEREMONIES:

1. CALL TO ORDER:

The Torrance City Council convened in a regular meeting on Tuesday, January 18, 1972, at 5:30 P.M. in the Council Chambers at Torrance City Hall.

2. ROLL CALL:

Present were Councilmen Brewster, Johnson, Sciarrotta, Surber, Uerkwitz, Wilson, and Mayor Miller. Absent: None.

Also present: City Manager Ferraro, City Attorney Remelmeyer, City Clerk Coil, and City Treasurer Rupert.

3. FLAG SALUTE:

Girl Scout Troop No. 280 led in the salute to the flag.

4. INVOCATION:

The invocation for the meeting was provided by Reverend Lloyd H. Newlin, First Baptist Church.

STANDARD MOTIONS:

5. APPROVAL OF MINUTES:

Councilman Sciarrotta moved that the minutes of January 4, 1972 be approved as recorded. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

6. APPROVAL OF DEMANDS:

Councilman Johnson moved that all regularly audited demands be paid. His motion, seconded by Councilman Surber, was unanimously approved by roll call vote.

7. MOTION TO WAIVE FURTHER READING:

Councilman Wilson moved that after the Clerk has given a number and read title to any resolution or ordinance on tonight's agenda, the further reading thereof be waived, reserving and guaranteeing to each Councilman the right to demand the reading of any such resolution or ordinance in regular order. The motion was seconded by Councilman Sciarrotta, and roll call vote was unanimously favorable.

1. City Council
January 18, 1972

8. COUNCIL COMMITTEE MEETINGS.Industrial Environmental Quality Committee:

Will meet on January 19th at 4:30 P.M., with presentation by Union Carbide slated.

Council/School Board Committee:

Will meet on January 24th at 7:00 P.M.

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City Attorney Remelmeyer introduced recently appointed Deputy Attorneys Charles Goldman and Roger Freeman; they were welcomed by Mayor Miller, on behalf of the Council.

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PLANNING AND ZONING MATTERS:9. RESOLUTION re: V 71-11, First Baptist Church.RESOLUTION NO. 72-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE APPROVING A VARIANCE FROM THE PROVISIONS OF DIVISION 9, CHAPTER 1, ARTICLE 6, OF THE TORRANCE MUNICIPAL CODE, AS APPLIED FOR BY THE FIRST BAPTIST CHURCH IN PLANNING COMMISSION CASE NO. V 71-11.

Councilman Sciarrotta moved for the adoption of Resolution No. 72-14. His motion was seconded by Councilman Johnson, and roll call vote was unanimously favorable.

Councilman Uerkwitz expressed the hope that these young people make it abundantly evident that they can govern themselves successfully, this being a most vital experiment, accompanied by the Council's good wishes. Reverend Newlin expressed appreciation for this opportunity for the young people to show what they really can do.

10. SERVICE STATION STANDARDS.RECOMMENDATION OF PLANNING COMMISSION/PLANNING DEPARTMENT:

If Council concurs with Planning Commission/Planning Department recommendation for adoption of the revised Service Station Standards, that the City Attorney be instructed to prepare the necessary ordinance therefor.

MOTION: Councilman Wilson moved to concur with the above recommendation of the Planning Commission/Planning Department, and his motion was seconded by Councilman Sciarrotta.

Concern regarding the need for a public hearing was expressed by Councilman Uerkwitz. It was the comment of Councilman Johnson that he has no desire to in any way restrict the number of service

2. City Council
January 18, 1972

stations, noting the control already afforded by the Conditional Use Permit -- Mr. Johnson has further concern relative to older, independent stations and the possibility that they might be legislated right out of business. The need for upgrading, preferably voluntary upgrading, was acknowledged by Councilman Johnson.

Councilman Sciarrotta indicated concurrence with the recommended public hearing, and like agreement was generally expressed by the Council. It was Councilman Brewster's suggestion that the Council concur, in principle, with the proposed revisions, and then have the public hearing scheduled at the time of the first reading of the ordinance.

A SUBSTITUTE MOTION was offered by Councilman Johnson: That item #10, Service Station Standards, be adopted in principle, to serve as guidelines, but that a public hearing be held at the time of the first reading of the ordinance. The motion was seconded by Councilman Uerkwitz, and roll call vote was unanimously favorable.

Mayor Miller inquired if there were anyone present who wished to speak on this matter -- Mr. Frank Walker, Western Oil and Gas, confirmed his approval of the above action.

REAL PROPERTY:

11. RESOLUTION re: renewal of license agreement with Southern California Edison Company for use of Post Substation Site for recreation purposes.

RESOLUTION NO. 72-15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST THAT CERTAIN RENEWAL OF LICENSE AGREEMENT BETWEEN THE CITY AND SOUTHERN CALIFORNIA EDISON COMPANY FOR USE OF THE LOMITA SUBSTATION SITE FOR RECREATION PURPOSES.

Councilman Surber moved for the adoption of Resolution No. 72-15. His motion, seconded by Councilman Johnson, was unanimously approved by roll call vote.

12. DISPOSAL OF SURPLUS LAND.

RECOMMENDATION OF CITY MANAGER:

That the office of the City Manager be given authority to dispose of the surplus land listed on the attachment hereto using any of the methods described in January 13th communication as seen most applicable in each particular situation. It is further RECOMMENDED that the City Attorney be directed to assist the City Manager in this project as need arises.

The considerable size of some of the subject parcels, as well as previous discussions re: trade-off positions with the railroad in conjunction with acquisition of Civic Center property, and the

LEGISLATURE TO DELETE FROM CONSIDERATION
THE CONSTRUCTION OF EITHER OF THESE
FREEWAYS THROUGH THE CITY OF TORRANCE.

Discussion was then invited by Mayor Miller.

Mr. James Clark, 19510 Tomlee, president, Pacific South Bay Homeowners Association, first requested permission to tape the proceedings in this matter; permission was granted. Mr. Clark then voiced the strong opposition of his people to Route 1/107 and indicated their support of the resolution requesting deletion of same. The circulation of petitions in several areas of the City was noted by Mr. Clark, as was the wording therein, as follows:

"Petition Against the Freeway:

"Whereas, we, the undersigned residents of the City of Torrance, are wholeheartedly opposed to the location of the freeway known as the Route 1/107 within the City for the many patent and obvious reasons, both ecological and economic, which have been voiced continuously during the past three years,

"Now, therefore, we do hereby petition our City Councilmen, as individuals and as a public body, to oppose the establishment of the freeway route 1/107 within the City of Torrance, and to do all in their power to delete route 1/107 from the State Freeway Master Plan, and under no circumstances to betray the public trust and confidence by executing any freeway agreement."

The petition, bearing 460 Pacific South Bay homeowner signatures, was presented by Mr. Clark. Further petitions were furnished by Mr. Clark: 556 signatures from Northwest Torrance Homeowners Association, and, from individual citizens, other homeowner groups, etc. 25 petitions bearing 553 signatures.

Mr. Clark indicated that copies of the above petitions will be forwarded to State legislators with a request for their support in deletion of the 1/107 Freeway.

It was further indicated by Mr. Clark that studies of alternatives have been made, and Council discussion of same would be welcomed.

In conclusion, Mr. Clark requested Council support of the stand taken by the homeowners, time being of the essence.

The absence of publicity surrounding the scheduled consideration of this matter was noted by Mrs. Martha McAvoy, 5334 Linda Drive -- her knowledge came as the result of a telephone call. Mrs. McAvoy reiterated her opposition, as expressed two years ago, to a freeway. Councilman Sciarrotta inquired of both Mrs. McAvoy and Mr. Clark as to whether or not their people would be opposed to this Council going on record opposing any new right-of-ways for freeways in Torrance -- Mr. Sciarrotta then pointed out the possibility that perhaps the State would extend the Artesia Freeway over Artesia^{Blvd.} but no more land would be sold, as well as the possibility that the State may double-deck

Hawthorne Boulevard. Mr. Sciarrotta would favor opposition to any new right-of-ways for freeways in the City of Torrance. Mrs. McAvoy stated that there likely would be concurrence along these lines.

It was clarified by Councilman Surber that his request for Resolution C was based on the simple fact that the citizens of Torrance, in his opinion, do not want the I/107 or the 91 Freeways -- there are no objections to studies -- however, the State should not labor under the delusion that Torrance would have no objections to a freeway coming through; other cities have voiced their opinions, and Resolution C makes it explicitly clear that a freeway through the City of Torrance is not desired.

On behalf of the Southwood Riviera Homeowners Association, Mrs. Frank Rizardi, 23544 Carlow Road, presented a 480-signature petition of freeway opposition. Mrs. Rizardi also expressed her personal objections to any double-decking arrangement, in that it will only bring in extra traffic and pollution.

A petition, with 461 signatures in opposition to the freeway, from Seaside Ranchos was presented by Mr. Paul Verobe, 5013 Reese Road.

At this point in the meeting Mr. Clark responded to the earlier question posed by Councilman Sciarrotta, acknowledging that the problems of vehicular traffic in this City must be faced, and adding that it is believed such problems can be solved on existing rights-of way, with perhaps a very minimum of widening -- admittedly, it might require some special types of structures on selected streets -- it is the freeway concept that is unacceptable, unworkable, and unsound. Councilman Sciarrotta pointed out the recent Staff report pertaining to street widening, as above proposed by Mr. Clark, and the fact that it would represent a cost of approximately \$42 million -- it is imperative that homeowners be aware of an inevitable increase in taxes were such a program undertaken. Mr. Clark reiterated that extensive studies have been made, and that they are thoroughly familiar with the Staff report re: costs, etc. It was generally expressed by the Council that copies of Mr. Clark's study would be welcome; Mr. Clark stated that he would formalize same and provide such copies.

Mr. Brian Bell, 4614 Cathann Street, expressed a dissenting opinion: he doubts very much that there is one person present at this meeting who does not use the freeway system, so it would seem that all are in favor of freeways so long as they do not pass through Torrance. Mr. Bell then stated that the City now has a very serious traffic problem; a problem which will only be compounded in five or ten years -- the Council should let "its conscience be its guide" and forget about the votes from the homeowners. It is necessary to foresee future problems in getting traffic into Torrance for use of its shopping centers, which represents considerable revenue to the City.

It was the consensus of the Council that Resolution C be assigned a number and read at this time.

RESOLUTION NO. 72-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE DETERMINING THAT THE ROUTING OF THE 1/107 FREEWAY AND THE CONTINUATION OF ROUTE 91 AND THE ARTESIA FREEWAY THROUGH THE CITY OF TORRANCE WOULD BE DETRIMENTAL TO THE BEST INTERESTS OF THE PEOPLE OF TORRANCE AND REQUESTING THE LEGISLATURE TO DELETE FROM CONSIDERATION THE CONSTRUCTION OF EITHER OF THESE FREEWAYS THROUGH THE CITY OF TORRANCE.

MOTION: Councilman Uerkwitz moved for the adoption of Resolution No. 72-16, and his motion was seconded by Councilman Surber.

Discussion was again invited by Mayor Miller.

Councilman Surber stated re: Mr. Bell's earlier remarks, that there may be problems -- however, he has not been convinced, based on studies submitted by the State; he does know, as a Councilman in the City of Torrance, that it is his responsibility to reflect the feelings of Torrance residents, not what is best for the State, County, or surrounding areas. Mr. Surber added that this was his opinion before he ran for Council, and this opinion was strengthened by a North Torrance meeting with some 1,000 residents in attendance to indicate their opposition to a freeway. Other cities have taken "no freeway" positions, and it is akin to "everybody loves a parade, but nobody wants to march" -- every city should have a freeway, and Torrance has theirs.

There are more logical routes for the proposed freeway, in Councilman Surber's opinion; routes that would aid Palos Verdes and Rolling Hills, etc. To empty more traffic into the shopping center would only enhance the present problems. Councilman Surber concluded with the comment that so long as the people of Torrance indicate to him that a freeway is not wanted, that will be his position.

Councilman Wilson stated his opinion that there appears to be compatibility between Ordinances A, B & C, in that both A & B are asking for the State to make a study to determine alternatives -- the early history of the "RED ROUTE" was noted by Dr. Wilson, when the question was not whether there be a freeway but which route. Something must be done to alleviate the traffic problem, and it does not seem reasonable to Councilman Wilson to tell the State that a freeway through Torrance is not desired and then ask for study which will provide alternatives.

It was indicated by Councilman Wilson that he will vote to delete the freeway but it is hoped that it will not foreclose on studies that the State might make -- holding the action in abeyance until such studies can be made might prove worthwhile.

Mayor Miller outlined the Torrance Freeway history, and the considerable knowledge gained along the way, along with a changing sentiment regarding freeways during the intervening years and, now, a brand new ball game -- no longer what route, but do you want a

freeway period. It is now necessary, the Mayor continued, that this Council not abandon a certain responsibility for the solving of future problems that will be created -- there is a need to negotiate, as is suggested in Resolutions A & B, along with the "no freeway" stand, and request that the State, with its know-how, provide alternatives and appropriate suggestions to the end that the problems may be solved.

Councilman Sciarrotta stated that the needs of Torrance are entirely different than those of Redondo Beach, Lomita, or any of the other cities -- Torrance being the Headquarters of the South Bay Area -- and if it be determined that State-financed freeways should be eliminated, then it must be ascertained how the necessary \$42 million may be raised to widen City streets and the problems that would be solved thereby. Delay of this matter for 90 days might be preferable, in Mr. Sciarrotta's opinion, in order that the facts might be gathered and the people enlightened, with the issue perhaps determined by a vote of all the people.

His position against freeways is a well known one, according to Councilman Johnson; he has no objection to seeking additional information, per Resolutions A & B. Mr. Johnson further noted that there has been some excellent work done in the study area by the people, and not such good work by the State -- were valuable, first class information developed by the State, followed by a public hearing, then there might be areas of alternatives. It is mandatory that the Council promise the people a decision, which has not been done heretofore; the above recommended public hearing might result in a happier solution than the one contemplated now.

It was reported by City Manager Ferraro, at the Mayor's request, that State hearings are tentatively scheduled for early summer for discussion regarding all proposed routes - following which a recommendation will be made by the State Division of Highways to the State Public Works Director for evaluation and recommendation to State Highway Commission. The State Highway Commission's recommendation would be available in the Fall of 1973, funds would be provided in 1974, at which time advance planning would begin, with actual freeway construction some 10 to 12 years from now.

The need for State input was reiterated by Mayor Miller -- the State having all the necessary means, facilities, etc. for developing alternatives -- such alternatives then to be weighed by the City as opposed to a freeway.

Councilman Uerkwitz stated that while the freeway is dead, there is no opposition to State study of possible alternatives -- Resolution C merely states that the people do not want the 1/107 Freeway, and delay will not change anybody's mind in this respect -- this does not preclude alternatives from meeting with the favor of the people. It was further stated by Mr. Uerkwitz that if the State has the money to provide freeways, they also have an obligation to provide alternates; if such alternates are acceptable, then they should be State-funded, if possible. There then is no reclosure on the State in voting against this freeway -- all that is being said is that the people are not in favor of this proposal, now give us another one, per Councilman Uerkwitz. The pertinent requests incorporated in Resolution B by him

were then delineated by Mr. Uerkwitz -- requests which open the door to transportation considerations without resorting to the same old concrete strips to solve the traffic problems.

Speaking at this time was Mr. Harrison Scott, 908 Patronella, who stated that most of the Torrance Gardens residents are opposed to the freeway, and added his opinion that the entire question is a political one. Mr. Scott then indicated that he had directed letters to two Councilmen requesting their opinion on the freeway, unanswered as yet. It was Mr. Scott's concluding remark that the people in Torrance are in a better position to solve their own traffic problems than is the State. Councilman Brewster indicated that he is one of the above referred to Councilmen -- the subject letter was received late last week, and is unanswered for the very good reason that Mr. Brewster too must work for a living, and must be out of town; further, a letter of this nature requires time for response; be patient, an answer will be forthcoming.

Mr. Melvin Markwitz, 19401 Pruitt Drive, stated that this Council has heard what the people of the City of Torrance want -- it's time to "get on the stick" and finalize this matter.

It was the suggestion of Mayor Miller that Resolution 72-16 (C) expressing opposition to the freeway be amended to incorporate the requests for further input as to alternatives, which would result in a combination of Resolutions B and C -- it was the general (not unanimous) consensus of the Council that this was a worthwhile suggestion.

Councilman Uerkwitz indicated that he would so AMEND his earlier motion. Councilman Surber, who seconded the motion, was in concurrence so long as it is clear that the proposed freeway is not wanted -- if nothing else, perhaps the State will seriously view the need to help solve the problem in a manner which will be compatible with what the people want.

Councilman Uerkwitz thereupon AMENDED HIS ORIGINAL MOTION to MOVE for the adoption of Resolution 72-16 (Resolution C), the title to be amended to include: "...AND REQUESTING THE STATE DIVISION OF HIGHWAYS TO FURNISH ADDITIONAL INFORMATION ON ALTERNATIVES TO THE CONSTRUCTION OF SAID FREEWAYS."; further, that Sections 1,2, and 3 of Resolution B be incorporated in Resolution No. 72-16. The motion was seconded by Councilman Surber.

Councilman Brewster stated that the above action would then eliminate Freeway 1/107 from consideration as an alternative -- it would, therefore, never be known how a freeway would compare, good or bad, to whatever the other alternatives might be.

The motion carried, with roll call vote as follows:

AYES: COUNCILMEN: Johnson, Sciarrotta, Surber, Uerkwitz,
Wilson, and Mayor Miller.
NOES: COUNCILMEN: Brewster.

It was the comment of Councilman Brewster, at the time of his "no" vote, that he cannot vote for something that arbitrarily excludes a possible alternative to future traffic problems without having the data before him.

Councilman Sciarrotta's "yes" vote was for the simple reason he feels the State will provide alternatives.

It was stated by Mayor Miller that the above action should encourage the State, somewhere along the line, to pursue investigative studies regarding alternatives.

Councilman Brewster referred to his Council representation on the Intercity Highway Committee and their current studies pertaining to the 1/107 Freeway; the obvious fact that he is not in accord with this Council action makes it impossible for him, in good conscience, to properly represent the Council on this Committee. Mr. Brewster, therefore, requested that he be removed as its representative. Mayor Miller pointed out the need for all Councilmen in like assignments to represent the majority opinion, although perhaps in personal disagreement -- the Mayor commended Councilman Brewster for his honesty in this situation, and requested that any action be held for one week.

It was the suggestion of Councilman Johnson that Mr. Clark make his earlier referred to report available to the Council when convenient. Mr. Clark, in turn, thanked the Council, on behalf of the homeowners, for their votes on this resolution.

(Further comments on Item #14 by Councilman Brewster - Page 22.)

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The hour being 7:15 P.M. Mayor Miller ordered a 10-minute recess.

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15. POLICY FOR SANDBLASTING CHARGES.

RECOMMENDATION OF TRAFFIC COMMISSION:

That the present policy on sandblasting charges be left as it now stands.

MOTION: Councilman Sciarrotta moved to concur with the above recommendation of the Traffic Commission. His motion was seconded by Councilman Surber, and roll call vote was unanimously favorable.

FISCAL MATTERS:

16. APPEAL FOR RELIEF regarding 1972 Business License Fee for Oil Wells.

Mr. George Kurtz, 2211 Torrance Boulevard, Attorney for Petroleum Producers Association, was present to define the concerns outlined in his January 12th communication, and noted that the oil tax levied represents an increase of 557% over what was paid last year. The money that is now being taken away from the oil operators

is money that they desire to spend in helping to get into a secondary recovery area which will, once and for all, end the primary recovery of oil in the City of Torrance.

It was then recommended by Mr. Kurtz that the City set up some kind of progressive scale of payment for oil operators, for the reason that the end of primary recovery is in sight. It is further hoped that the inequity of this tax, as compared with other taxes imposed, has now been realized by the Council.

In response to Councilman Johnson's question as to whether or not the present assessment has made it difficult to get his group together, Mr. Kurtz responded affirmatively in that it has created a tremendous amount of disharmony for the reason that the City has levied a tax which is totally out of line with the tax on any other business and seems grossly unfair to these independent oil operators.

Next questioned by Councilman Johnson was whether or not this would hasten the elimination of the strip of virtually non-productive wells -- Mr. Kurtz advised that that is precisely the point; a secondary recovery program would eliminate the primary recovery program in the City.

Councilman Johnson then inquired, in the event secondary recovery is attained, what about the "o-capped" wells that might erupt under someone's home. Mr. Kurtz pointed out the concern of the Division of Oil and Gas in this regard -- further, there is the liability factor that would be involved for any operator in this type of operation.

Representing SETHA, Mr. Arnold S. Johnson, 2278 West 232nd Street, stated their opposition to any reduction of the business license fees for oil wells in the City of Torrance. There are so many violations -- fire, fencing, and landscaping laws -- to be observed on oil properties owned and leased by members of the PPA in Southeast Torrance that the City needs all the business license fee money it can get to finance the enforcement of fire, zoning, and oil code laws in this area. SETHA would like to remind the Council, according to Mr. Johnson, that the proposed legislation for the abatement of nonconforming use is long overdue, and that the problem of nonproductive primary oil production uses in Southeast Torrance will not be solved until abatement law is enacted.

SETHA's Oil Committee has just informed the membership, Mr. Johnson continued, that the abatement period given nuisance oil wells in the Venice area of the City of Los Angeles expires this year, and that the City of Los Angeles intends to shut down offending oil wells if owners and operators do not comply with applicable laws and operating conditions imposed.

Discussion was then directed to the fact that consideration of fees in other areas, enforcement and investigation costs, future plans, etc. played a role in the Finance Committee's decision in this matter -- further, the fact that the anticipated fees have already been budgeted and committed to use; to discontinue

such fees at this time would necessitate providing some other source of revenue.

Mr. Kurtz returned to reiterate the independent oil operators' desire to launch a secondary recovery program, and noted the many controls afforded the City in this regard. Mayor Miller pursued discussion of an "abandonment clause", which included the nonconforming, use/abatement period aspect -- Mr. Kurtz deemed this a subject of discussion between himself and City Attorney Remelmeyer.

City Attorney Remelmeyer indicated that he is diligently working on a nonconforming use and abatement ordinance which should be completed late this year -- however, Mr. Remelmeyer failed to see any connection between abatement and nonconforming uses and the license fees; further, any reimbursement of license fees would be most unfair to others who have already paid such fees.

Discussion returned to the varied considerations of oil operations, the problems, and the hoped-for results, with the following Council action resulting:

MOTION: Councilman Uerkwitz moved that this matter be delayed and referred to the City Attorney or the Finance Committee for translation of the above dialogue in layman-type language. There was no second to the motion.

MOTION: Councilman Sciarrotta moved that the present setup continue until the end of the fiscal year, and that, in the meantime, the problem be referred to the Finance Committee for study and recommendation. The motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

AIRPORT MATTERS:

17. Resolution authorizing Lease with FAA Localizer Installation and Operation.

Concern regarding the fact that the subject resolution had not been reviewed by the Airport Commission was expressed by Councilman Uerkwitz who MOVED that this item be referred to the Airport Commission. The motion was seconded by Councilman Sciarrotta, and roll call vote was unanimously favorable.

18. DEVELOPMENT OF SOUTHWEST PORTION OF TORRANCE MUNICIPAL AIRPORT.

RECOMMENDATION OF CITY MANAGER:

That the City Manager be authorized and directed to prepare and submit an application to the FAA for a planning grant for an Airport Master Plan Project.

Staff presentation was made by Airport Manager Egan, encompassing past, present, and future plans for development of the Airport and the findings of the Council Transportation Committee as well as those of the City Manager.

Pending applications for use of Airport property -- Alberts and Associates, the minibike proposal, Torrance Mounted Police, etc. -- were extensively reviewed by the Council, particularly that of

Alberts and Associates and their long standing application for proposed use of Airport property, an application heretofore unknown to the Council as a body. A revised procedure by the Airport Manager whereby regular reports on such considerations were furnished the Council was recommended by Mayor Miller.

Airport Manager Egan pointed out the November 23rd Council Transportation Committee considerations regarding the Alberts and Associates proposal, along with other matters, and the resultant recommendation now before the Council. Mayor Miller reiterated that there is a need for a revised procedural setup for such applications; the Mayor acknowledged the need for a professional recommendation but noted that the final decision is one which must be made by the Council.

Mrs. James Pierson, 5620 Bartlett Drive, representing the League of Women Voters, indicated their concurrence with the City Manager's recommendation that there be a Master Plan for the Airport. Piecemeal development on the Airport would be a detriment to the City -- further, there is a need for input from citizens on the Master Plan, as well as a professional approach to its formulation.

Council discussion returned to long range vs. present plans for the Airport. It was City Manager Ferraro's opinion that if an application involving the 40-acre area, or the area immediately adjacent thereto, were significant or of long term duration, that it would not be in the best interest of the City to process such an application, pending planning review. Were it proposed for some other remote area, not bearing on the 40 acres, or of a short term nature, then such application should be processed, according to Mr. Ferraro -- further, it would be necessary to evaluate each application to determine its merit, if any. It was the comment of Mayor Miller that this arrangement then would not stop the growth of the Airport.

It was further indicated by City Manager Ferraro that the process will be revised so that all applications will come before the Council, with or without a recommendation, for approval, if so desired.

Speaking at this time was Airport Commissioner Bell who related his interpretation of the above: the normal operation of the Airport would not be slowed down but it would certainly put a moratorium on the 40 acres. Mr. Bell then indicated that he would take exception to the recommendation for the following reasons: first, he would like to see the Council concur with the Airport Commission's unanimous recommendation of August 19, 1971 that the City should enter negotiations with Alberts and Associates. Mr. Bell further noted his continuing concern that this recommendation had not been forwarded to the Council, and recited the various complications meeting-wise to this point in time.

Continuing, Mr. Bell stated that the Airport Commission subcommittee on this matter would like to take exception to the City Manager and the Airport Manager's recommendation in that they believe that rather than go whole hog on a Master Plan for the Airport (agreed that it is badly needed) that the 40 acres be tackled first.

Should it be decided that a Master Plan should be first, that would automatically place a moratorium on the 40 acres, and some response should be made to the proponent who has been waiting since December 19, 1969 for an answer to their proposal.

Mr. Bell then described his personal efforts in obtaining a consultant, minus commitment by the City, or use of his personal funds, to look at the property -- his report will be made available to Council.

Next to speak was Mr. Joe Doss, 22740 Date Avenue, president, Roads End Corporation, who referred to his proposed lease with the City April 21st, and subsequent events, including his resignation from the Airport Commission, delays for study, etc. It was Mr. Doss' opinion that Alberts and Associates should not have to wait two years for an answer -- in his own case, once his application was in, the study should have started at that time; 10 months have now elapsed, and it is still in study. Mr. Doss would wholeheartedly concur that the slow moving process has resulted in the loss of applicant after applicant -- there is ground on the north, on the west, on the south that has not been leased.

Mr. Charles M. Mitchell, 15432 Millbank Street, representing Alberts and Associates, a real estate development firm, confirmed that they had made application some time ago, and went through a process in response to the wishes of the sub-committee of the Airport Commission and the Airport Manager to provide various plans, alternate studies, land use plans, etc. Mr. Mitchell stated that he is in sympathy with the idea of a Master Plan, and it is felt that they could provide a Master Plan insofar as the 40 acres is concerned.

Mr. Doss returned to describe his proposed operation -- a protected area for campers, trailers, and recreation vehicles -- as well as the financial losses to the City represented by the delay.

MOTION: Councilman Uerkwitz moved to proceed with the usual procedures for handling Airport matters, and that the City Manager be instructed to proceed with Staff preliminaries for the development of a Master Plan for the Torrance Municipal Airport. The motion was seconded by Councilman Johnson.

City Manager Ferraro confirmed the consensus of the Council: that Staff continue to process all applications, make best recommendation, and forward to Council; at the same time make application to the Federal government to implement the recommendation in the subject report.

Discussion returned to past unsatisfactory procedures and future needs, with the Airport Manager noting his concerns, and Airport Commissioner Marousek outlining previous efforts to effect a Master Plan for the Airport, and at Mr. Marousek's question as to the Council's specific desire, Mayor Miller responded that his interpretation, and no objections were voiced by the Council, would be that the Master Plan would be applicable to the entire Airport, with consideration of the 40 acres now, recognizing the role of the 40 acres in the ultimate development.

Roll call vote on the above motion was unanimously favorable.

14. City Council
January 18, 1972

REAL PROPERTY:

19. RESOLUTION authorizing contract with Howard Martin for Appraisal of Madrona Spur Line Property.

RECOMMENDATION OF ASST.CITY MANAGER/CITY ATTORNEY:

That Council pass the subject resolution.

RECOMMENDATION OF FINANCE DIRECTOR:

That Council approve the appropriation of \$6,000 from Section 2106 State Gas Tax Funds to cover subject contract.

RESOLUTION NO. 72-17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST THAT CERTAIN CONTRACT FOR APPRAISAL SERVICES BETWEEN THE CITY AND HOWARD S. MARTIN AND ASSOCIATES.

Councilman Sciarrotta moved for the adoption of Resolution No. 72-17, and to concur with the above recommendation of the Finance Director. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

PARK AND RECREATION:

20. ADVISORY COMMISSIONERS WORKSHOP.

RECOMMENDATION OF PARK AND RECREATION COMMISSION:

That Council approve an expenditure in the amount of \$24.50 to cover the registration fee permitting Commissioner Guy Lee to register and attend the subject Workshop.

MOTION: Councilman Sciarrotta moved to concur with the above recommendation of the Park and Recreation Commission. His motion was seconded by Councilman Johnson, and roll call vote was unanimously favorable.

It was the consensus of the Council that any such future like requests, involving less than \$50.00, should be approved at the discretion of the City Manager.

SECOND READING ORDINANCES:

21. ORDINANCE NO. 2305.

ORDINANCE NO. 2305

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING DIVISION 9 OF THE TORRANCE MUNICIPAL CODE TO RECLASSIFY THAT CERTAIN PROPERTY WHICH IS LOCATED AT THE SOUTHWEST CORNER OF PACIFIC COAST

15. City Council
January 18, 1972

HIGHWAY AND ROLLING HILLS ROAD, AND
DESCRIBED IN ZONE CHANGE 71-6.
(W.H. Campbell, R.A. Lowe, and L.E. Williams)

Councilman Uerkwitz moved for the adoption of Ordinance No. 2305 at its second and final reading. His motion was seconded by Councilman Sciarrotta, and roll call vote was unanimously favorable.

NONCONTROVERSIAL ITEMS:

22. EXPENDITURES OVER \$300.

RECOMMENDATION OF FINANCE DIRECTOR:

That Council approve the following purchases:

1. \$2037.00 to Bell & Howell Communications Company for one only complete Bell & Howell Intelligence Kit as requested by the Police Department for "Undercover Work".
2. \$923.35 to Needham Book Finders for 221 adult books.
3. \$1694.76 to Bro-Dart, Inc. for 126 adult and 110 juvenile books.
4. \$668.85 to Viking Press, Inc. for advanced copies of various 1972 publications coming out.
5. For new "Paramedical Team":
\$3627.65 to Electro-Medical Engineering Company, and \$3777.38 to Biocom Company for various body systems measuring equipment required by the Fire Department in handling cardiac and related emergencies.
6. \$556.29 to Torrance Auto Parts for various auto and truck replacement electrical components as requested by the City Garage for City vehicles.
7. \$1149.75 to M.L. Snyder & Sons for annual requirement of work gloves (used by rubbish truck crews, etc.) -- 100 dozen -- to be delivered to the City on "as requested" basis.
8. \$339.94 to R & R Pallet for 25 only 10-ft. wide 1/2 street barricade as requested by the Traffic and Lighting Dept.
9. \$1294.13 to Graybar Electric for various types and sizes of traffic signal wire as requested by the Traffic and Lighting Department.
10. \$875.00 to Dunn Enterprises for seven USED 12" and 8" traffic signal heads and five USED street lighting poles as requested by the Traffic & Lighting Department for use as replacement heads and poles at a greatly reduced price.

- 11. \$2712.15 to Essicks Machinery Company for two Essicks asphalt spreaders as requested by the Street Department as replacement units.
- 12. \$615.83 to Mine Safety Appliance Company for six each resuscitator face pieces and air mask carrier with harness assemblies as requested by the Fire Department as replacements.
- 13. \$505.05 to J. Jones Company for 200 only 3/4" iron pipe couplings and 100 only 3/4" water pipe adapters requested by the Water Department for stock.
- 14. \$651.92 to Western Water Works Supply for twelve only 4" - "Superspan" water pipe repair clamps as requested by the Water Department.
- 15. \$388.15 to Kirst Pump and Machine Works (factory-authorized depot) for the repair of a City-owned Fairbanks-Morse 3" pump as requested by the Water Department.
- 16. \$446.25 to Brooks Products for 100 only meter boxes #3 size as requested by the Water Department for stock.
- 23. PROPOSAL SUBMITTED BY COUNTY OF LOS ANGELES PUBLIC WELFARE COMMISSION that the City of Torrance join in a countywide effort to achieve a common fund solicitation application on a trial basis.

RECOMMENDATION OF FINANCE DIRECTOR/LICENSE SUPERVISOR:

That the City join in the proposed program with the following provisions:

- 1. Application to be amended as indicated.
- 2. Letter from County of Los Angeles Welfare Commission to accompany each application indicating they have investigated and found applicant to be a legitimate organization.
- 3. Original applications and renewal requests to be accompanied by Financial Statement.

MOTION: Councilman Sciarrotta moved to concur with recommendations on agenda items #22 and #23. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

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The hour being 9:05 P.M. Councilman Sciarrotta moved to recess as City Council and reconvene as the Redevelopment Agency. His motion, seconded by Councilman Uerkwitz, was unanimously approved by roll call vote. A 5-minute recess followed at 9:07 P.M.

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17. City Council
January 18, 1972

322

PLANNING AND ZONING HEARINGS:

24. CONTINUED HEARING - Proposed Apartment Development and Maintenance Standards.

Mayor Miller announced that this is the time and place for the subject public hearing, and requested, first, that Staff presentation be made by Planning Director Shartle, following which discussion was invited.

Specifically noted were Staff findings relative to small lots: That there be a minor amendment to the ordinance to allow tandem parking on developments less than 10 units without a Waiver -- this would seem to solve most of the problems and provide the needed flexibility.

Disagreement with the proposed ordinance, excluding the small lots, was expressed by Councilman Johnson in order that his position would be clear at the beginning of the hearing.

First to speak was Mr. Frank Wilson, 21515 Hawthorne Boulevard, architect, who stated that plans on a large tract of land were recently submitted in order to make a study of its use under the terms of the new ordinance. Mr. Wilson then stated that, basically, it appears to be a good ordinance -- however, when using the new 600 sq. ft. ^{open space} and 40 ft. between buildings, and a reasonable mix of units, the number available per acre gets down to 22 or 23 with all covered parking. It was not his suggestion, Mr. Wilson continued, that there be any modification, but deemed it of interest that instead of the 26 or 27 units suggested, it turns out to be a different matter and drastically changes certain standards.

Approval of Torrance's ordinance pertaining to front line setbacks was also indicated by Mr. Wilson in that it permits variations of front yards -- it would be well to see a similar ordinance application to the 40 ft. yard between buildings thereby preventing the "barracks" appearance. Planning Director Shartle indicated that such court yard variations would be entertained by way of a Waiver, as is done with the front yards.

Mr. Glenn Cheshire, 2051 Beverly Plaza, Long Beach, representing Don Wilson, stated that they presently have plans for 70 units in the Building Department for Plan Check, and it is hoped they would be exempt from the new ordinance. Mayor Miller confirmed that any plans in Plan Check at the time the ordinance becomes effective would be exempt from new ordinance requirements -- it being the discretion of Building and Safety Director McKinnon, in view of his well established knowledge and integrity, to determine whether or not the plans are bona fide. The time period was also acknowledged by the Council -- with the first reading of the ordinance to take place on January 25th, followed by the second reading, and the 30 days following such second reading to be the above referred to effective date.

18. City Council
January 18, 1972

Mr. Roy Bayer, 2544 Sierra Street, stated that he has had plans in Plan Check for some six weeks, so is without a problem in this regard -- however, rumor had it that this matter would be an emergency action at this meeting; it is his understanding that the ordinance procedure is as it is for the simple reason that it will permit the people affected to have sufficient time to complete plans. The considerable number of emergency ordinances enacted by this City "hang a lot of people out to dry" -- and there should be careful study as to whether or not there is an emergency situation. Mr. Bayer added that he is not in disagreement with the proposed ordinance; he, in fact, deems it a very good one.

Next to speak was Mr. Bill Dröbish, 3624 Michelle Drive, president, Delthorne Homeowners Association, indicated their support of Staff recommendations -- Mr. Drobish then noted the detrimental effect of having plans rushed in with resultant poor apartment development, as has happened in his area. He would encourage the Council to consider enacting an emergency ordinance with the provision that those with plans legitimately in progress be protected.

Mr. Charles Ponty, 5091 Berkeley Avenue, Westminster, owner of an R-3 lot in Torrance, reported his shock at what is proposed -- the development of 10 units, as originally planned, would be reduced to 8 units, and would represent great economic hardship, particularly to the small lot builders.

On behalf of the League of Women Voters, Mrs. James Pierson, 5620 Bartlett Drive, expressed their approval of the proposed ordinance -- the League survey proved that Torrance was not unreasonable in its demands.

Mr. Ray Brennan, 218 Calle Miramar, owner of a 10,000 sq.ft. lot, described his particular problems, and the fact that the proposed ordinance will result in a 40% reduction of allowable units (the existing ordinance would allow 10 units; the proposed ordinance 6 units) -- the substantial financial loss was deplored by Mr. Brennan.

Council discussion regarding the pros and cons of the proposed legislation followed, with further clarification by Planning Associate Harris by way of charts, re: the findings of a survey of downtown Torrance.

There being no one else who wished to be heard, Councilman Sciarrotta moved that the hearing be closed. His motion was seconded by Councilman Surber, and roll call vote was unanimously favorable.

Concern regarding the proposed ordinance was expressed by Councilman Johnson -- while there should be a change to permit fewer than the present 43 units per acre, it appears that the approximately 27 units now recommended would be an extremely drastic change, and rather represents inverse condemnation of those properties, with equities, already zoned R-3. It is said, Mr. Johnson continued, that the density can be increased by going

RR-3 or R-4 -- it seems to him that if it is proposed to generate a new zoning to accommodate a different density situation, a change of density of the existing R-3 to something more than the proposed 27 units should be allowed. It was Councilman Johnson's suggestion that 30 to 35 units would be a more appropriate figure and a much less drastic change, and would make for a more orderly transition.

Therefore, Councilman Johnson recommended that those properties that are already zoned R-3 be permitted 30 to 35 units, and then over the course of three to five years they would then be reduced to 27 units. Further, anyone requesting a zone change could be aware of the 27-unit requirement, and could take their chances with such request -- this would also serve to eliminate the RR-3 and stay strictly to the R-4 concept.

Councilman Johnson further stated that there is a need for a certain fairness for those people who will be seriously hurt by such a drastic change -- it can be done another way and will safeguard those who now have R-3 property.

At Councilman Wilson's question as to whether or not the ordinance is truly drastic and out of line, Planning Director Shartle advised that while it is a considerable reduction from present requirements, surveys with other cities have been conducted, and Torrance appears to be in the middle.

MOTION: Councilman Uerkwitz moved that the Council instruct the City Attorney to prepare the subject ordinance (with 27 units per acre and tandem parking for small lots). The motion was seconded by Councilman Brewster.

A SUBSTITUTE MOTION was offered by Councilman Johnson: That the ordinance be written to apply to any property that is to be rezoned, that existing R-3 be set at 32 units per acre and within a 5-year period be reduced to the subject standards. There was no second to the motion.

Roll call vote on the main motion was as follows:

AYES: COUNCILMEN: Brewster, Uerkwitz, Wilson.
 NOES: COUNCILMEN: Johnson (believes it too drastic), Surber.
 ABSTAIN: COUNCILMEN: Sciarrotta; Mayor Miller.

Councilman Sciarrotta stated that he must abstain in this matter for the reason that he is the owner of an R-3 lot. Mayor Miller indicated that he too is the owner of R-3 property, hence his abstention. City Attorney Remelmeyer deemed this a legislative act, and ruled that voting would be proper -- however, Messrs. Sciarrotta and Miller indicated that for their own protection, the abstention would stand.

Councilman Surber indicated his earlier inclination to also abstain in that he "just doesn't know" -- the discussion preceding the motion presented certain doubts to him -- and a "no" vote resulted.

Councilman Uerkwitz stated, at the time of his "yes" vote, that he is not at all sure about the numbers, but he feels this can be resolved with this same ordinance.

Mayor Miller advised that he has a rental house on an R-3 lot, hence his decision to abstain -- the Mayor added that he is in favor of the subject ordinance, but fears possible conflict.

City Attorney Remelmeyer reiterated his opinion that this ordinance may be voted on by Messrs. Sciarrotta and Miller -- were the rezoning of an individual lot at issue, it would not be possible to vote on the matter, of course -- in this case, it is a legislative act, and one that would not increase the value of the property.

It was noted that the motion carried with a 3-2 (2 abstentions) vote, but that passage of an ordinance requires 4 votes. Discussion was then directed to this likely impasse and the need for compromise -- Councilman Johnson restated his 32-unit recommendation. Councilman Uerkwitz MOVED for reconsideration of action taken on Item 24. The motion failed for lack of a second.

Councilman Brewster stated that he did not know whether to be appalled or amused by the "no" votes. Exception to this comment was taken by Councilman Johnson in that he has every right to his "no" vote and that he had tried to explain his position.

It was the comment of Councilman Surber that he has no desire to become personal in this matter -- he respected one Councilman's "no" vote, which is his privilege. Mr. Surber's primary concern is the fact that he is not yet convinced that this is a wise decision to make at this time, in view of the small lot owner problems. When in doubt, Councilman Surber continued, he certainly will not vote for something questionable -- his original intent was to abstain; the "no" vote resulted, and that is the reason for same. Mr. Surber then stated that he would appreciate no remarks being made about his voting.

It was reaffirmed that the City Attorney should proceed with the drafting of the ordinance, per action taken, it being conceded that what happens next week may be a "different proposition", in that there may be constructive suggestions as to how to proceed at that time.

ADDENDUM ITEM:

25. RESOLUTION commending Jesse T. Hill.

RESOLUTION NO. 72-13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE COMMENDING JESSE T. HILL FOR HIS CONTRIBUTIONS TO THE YOUTH OF THIS COMMUNITY, AS WELL AS THE GENERAL PUBLIC, WHILE SERVING AS STUDENT COACH AND ATHLETIC DIRECTOR AT THE UNIVERSITY OF SOUTHERN CALIFORNIA FOR THE PAST FORTY YEARS.

21. City Council
January 18, 1972

Councilman Wilson moved for the adoption of Resolution No. 72-13. His motion was seconded by Councilman Sciarrotta, and roll call vote was unanimously favorable.

ORAL COMMUNICATIONS:

26. City Librarian West advised that the scheduled dedication of the Southeast Torrance Branch Library on January 23rd must necessarily be postponed.

27. Councilman Brewster commented that if it is proposed to begin Master Planning the Airport, it should perhaps be determined which of the possible alternatives may be arbitrarily, rather prematurely, summarily, and capriciously excluded without benefit of trade-off study.

28. It was the further comment of Mr. Brewster that his "whether to be appalled or amused" remark was made for a very real reason -- he has heard much talk about people standing with the homeowners and supporting the homeowners, particularly with regard to the freeway situation (although he is not sure the homeowners have been done a favor in that respect); but almost every homeowner group that has communicated with the City with regard to the R-3 development standards has indicated 100% support of those standards. Councilman Brewster, therefore, detects a basic inconsistency there. There is further inconsistency when it is remarked that the Planning Department did not want to survey other cities because they could not prove their point; the same thing would apply to the refusal to include freeways in the studies -- it would seem that some people may fear that the point they are trying to make will fall through.

29. Councilman Brewster then referred back to Item #14 (Freeway Resolution) and his interrupted remarks, and now stated, for the record:

"It is not my intent to be a champion of freeways; I do not even know that freeways are even close to being the right answer, but I would like, however, to be a champion of a logical, rational approach to the study of our long range problems and solutions. I see no valid reason to summarily exclude freeways from the requested trade-off study, unless, of course, one has made a politically firm anti-freeway commitment, and was fearful the results of a study would prove that position to be wrong. If one was so sure his anti-freeway posture and judgment were correct, and in the best interests of this community and its people, then one should feel equally sure that that fact would be substantiated by the studies, and I would think one would therefore welcome the inclusion of the freeway alternatives in the study, and I would further think that the homeowners would also desire such strong affirmation of the viability and validity of the anti-freeway position."

30. Next noted by Councilman Brewster was recent action taken by the City of Redondo Beach with regard to freeways -- it was Mr. Brewster's request that Staff check with Redondo Beach regarding this action to ascertain whether or not the position applies

to all freeways or simply to the 1/107 Freeway. It was the response of Mayor Miller that, in his opinion, whatever the problems, they are the problems of Redondo Beach and its people; the Mayor cannot see challenging the motives of other cities -- any such desired information should be requested as an interested individual. The other Councilmen indicated concurrence with the Mayor's opinion.

State
31. The Supreme Court decision re: Reapportionment (Senate and Assembly Districts to remain as they are for 1970, with approval of the Congressional Districts as recommended by the State Legislature) was reported by Councilman Sciarrotta, with the comment that it is a tremendous victory for Mayor Miller and this Council. It was the request of Mr. Sciarrotta that the maps outlining the Districts be duplicated and sent to the homeowner organizations with an expression of appreciation for their efforts.

32. Appropriate recognition of the late Bert Lynn should be evolved by Mayor Miller and the City Manager -- a tribute to Mr. Lynn from this Council is in order, and was so requested by Councilman Sciarrotta.

33. Councilman Wilson noted that the month of February is "Scout Month" and requested that recognition be given Mr. Robert Church as "Scouter of the Year 1971" by way of resolutions acknowledging both Scout Month and Mr. Church. There were no objections, and it was so ordered.

At 10:40 P.M. Councilman Sciarrotta moved to adjourn to 6:00 P.M. Tuesday, January 25, 1972 for the purpose of Commission Interviews. The motion was seconded by Councilman Johnson, and roll call vote was unanimously favorable.

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Ken Miller
Mayor of the City of Torrance

Vernon W. Coil
Vernon W. Coil, City Clerk of the
City of Torrance

Ava Cripe
Minute Secretary

23. City Council
January 18, 1972