

I N D E XCity Council - June 13, 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 Demands	1
6. Approval of Minutes	1
7. Motion to Waive Further Reading	1
8. Council Committee Meetings	2
8A. Council Dark Night - July 4th	2
<u>PROCLAMATIONS:</u>	
9. "Chamber of Commerce Week"	2
<u>HEARINGS OTHER THAN PLANNING AND ZONING:</u>	
10. Maricopa Street Assessment District No. A'11-70-2	2-6
11. Continued May 23rd Hearing - Construction of curb, gutter, etc. at various locations	7
12. Request to raise rates - Del Amo Transportation Co. and Blue and White Cab Company	7
<u>PLANNING AND ZONING HEARINGS:</u>	
13. V 72-5, Harvey E. Baker	7,8
14. Request for Continuance of V 71-11, First Baptist Church	8,9
<u>PLANNING AND ZONING MATTERS:</u>	
15. Ordinance No. 2331 governing C-5 zones	9
<u>APPEALS OTHER THAN PLANNING AND ZONING:</u>	
16. Withdrawn	9
17. Ad Hoc Council Committee Report re: Billboards	9
18. Appeal of Foster & Kleiser for 3 Billboard Locations	10 - 12
<u>APPEALS - PLANNING AND ZONING:</u>	
19. Hearing on Appeal CUP 72-10, John D. Burridge	12,13
<u>REAL PROPERTY:</u>	
20. Resolution No. 72-115 re: J.R. and C.A. Silveira lease to Andre P. Nebolon	14
<u>FISCAL MATTERS:</u>	
21. Interior Design for new City Hall	14
<u>AIRPORT MATTERS:</u>	
22. Resolution No. 72-116 re: petroleum agreement - Gerardin Corporation and Texaco, Inc.	14
<u>PARK AND RECREATION:</u>	
23. Sur La Brea Park	15
<u>MATTERS NOT OTHERWISE CLASSIFIED:</u>	
24. Resolution No. 72-117 re: agreement with Reorganized Church of Jesus Christ of Latter Day Saints	15
<u>ENVIRONMENTAL MATTERS:</u>	
25. Resolution No. 72-118 re: Underground Utilities Reimburse- ment District No. 1	15
<u>ROUTINE MATTERS:</u>	
26. Expenditures over \$300	16
27. Class Specifications for Asst. Street Maintenance Foreman, Sr. Park Maintenance Leadman and Street Maint. Foreman	16
28. Repairs to Airport Building (Bid B72-10)	16

<u>SUBJECT:</u>	<u>PAGE</u>
<u>ROUTINE MATTERS (Cont.)</u>	
29. Expenditure from Sewer Revolving Fund	17
30. Supplemental Retirement Plan for Miscellaneous Employees	17
31. Claim of Pablo Calan for personal damages	17
<u>ORAL COMMUNICATIONS:</u>	
32. City Manager Ferraro re: Executive Session	17
33. Traffic Engineer Horkay re: signal installation	17
34. Councilman Armstrong re: progress reports	17
35. Councilman Brewster re: Environmental Impact copies	17
36. Councilman Uerkwitz re: citizen bravery	18
37. Mayor Miller re: Torrance Freeway	18,19
38. Dr. Howard Laitin re: budget/corridor study	20

Adjourned at 11:18 P.M.

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Ava Cripe
Minute Secretary

ii..

City Council
June 13, 1972

June 13, 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, June 13, 1972, at 7:00 P.M. in the Council Chambers at Torrance City Hall.

2. ROLL CALL:

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

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

3. FLAG SALUTE:

Mrs. Lawrence Thompson led in the salute to the flag.

4. INVOCATION:

Reverend H. Milton Sippel, First Christian Church, provided the invocation for the meeting.

STANDARD MOTIONS:

5. APPROVAL OF DEMANDS:

Councilman Uerkwitz moved that all properly audited demands be paid. His motion, seconded by Councilman Sciarrotta, was unanimously approved by roll call vote.

6. APPROVAL OF MINUTES:

Councilman Sciarrotta moved that the minutes of May 23, 1972 be approved as recorded. His motion was seconded by Councilman Brewster, and roll call vote was unanimously favorable.

7. MOTION TO WAIVE FURTHER READING:

Councilman Uerkwitz 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 Wilson, and roll call vote was unanimously favorable.

8. COUNCIL COMMITTEE MEETINGS.

Ad Hoc Committee re: Billboards:
See Item #17 - Page 9.

Finance Committee:
Meeting scheduled for July 11th at 4:30 P.M.

Legislative Liaison Committee:
Subject: Legislative Goals. Date: Wednesday, July 12th, a.m. meeting.

Police, Fire, and Public Safety:
June 20th meeting cancelled.

8A. COUNCIL DARK NIGHT - JULY 4TH.

MOTION: Councilman Surber moved that Council be dark on Tuesday, July 4th, in celebration of Independence Day; also, that there be the traditional display of flags on Torrance Boulevard. The motion was seconded by Councilman Armstrong, and roll call vote was unanimously favorable.

PROCLAMATIONS:

9. "CHAMBER OF COMMERCE WEEK" - June 11-17, 1972.

So proclaimed by Mayor Miller.

HEARINGS OTHER THAN PLANNING AND ZONING:

10. MARICOPA STREET ASSESSMENT DISTRICT NO. A'11-70-2.

Mayor Miller announced that Resolution of Intention No. 72-83 fixed the time of the combined hearing on Maricopa Street Assessment District No. A'11-70-2 at 7:00 o'clock P.M. on June 6th, 1972 in this Council Chamber. The Council did hold such hearing on June 6th, but because June 6th was the date of the statewide primary election, continued the hearing to June 13th at 7:00 o'clock P.M. to give everyone the maximum opportunity to be heard.

Further stated by Mayor Miller: The hour of 7:00 o'clock P.M. having arrived on this June 13th, the Council again will hear any and all persons having any protest or objection to said proposed work, to the extent of said assessment district, or to the proposed grades to the real property to be acquired or to the structure to be demolished. Such persons may appear before this City Council and show cause why said proposed work should not be carried out in accordance with said Resolution of Intention. This is also the continuation of the hearing to determine whether public convenience and necessity require the work or improvement described in said resolution and whether the provisions of the Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall apply thereto.

City Clerk Coil, at the Mayor's request, presented the Affidavit of publication of "Notice of Continuance of Hearing" and the Affidavit of posting of "Notice of Continuance of Hearing". Councilman Sciarrotta moved that the documents be filed. His motion, seconded by Councilman Armstrong, was unanimously approved by roll call vote.

The Assessment Engineer and City Engineer were sworn in by City Clerk Coil. Further testimony was offered by City Engineer Weaver in that the petition presented to the Council on June 6th has been defined as to location. Maps identifying and clarifying same were displayed. It was learned by Mr. Weaver that the protests primarily are based, not on the street going through, but on the high assessment. Assessment Engineer Thompson indicated that he had nothing to add to Mr. Weaver's well covered presentation.

City Clerk Coil advised, at the Mayor's question, that no additional written protests had been filed; none had been received by the City Engineer.

Mayor Miller then inquired if anyone wished to be heard.

The attorney for the Church of Christ, Mr. Douglas Trowbridge, by way of a prepared statement (a matter of record), reiterated the church's opposition to the proposed Assessment District, in view of the very real financial problem which would result.

Council discussion was directed to the access which will result, and the benefits thereof, particularly as it relates to a possible Fire Department need -- also pointed out was a later hearing which will establish the amounts of the assessment and any desired readjustments. Mr. Thompson pointed out that the value of the church land is approximately \$400,000; there are tax exemptions; the property meanwhile continues to appreciate and could ultimately be too valuable for church use. Mr. Thompson also referred to the later hearing regarding the assessment considerations per se.

Speaking at this time was Mr. Denver Watkins, 5122 Emerald Street, who stated that when the church property was purchased in 1959, a Master Plan for the City was in effect which showed that the street would go through -- now the street must jog to the left to go around an apartment house although the 1959 Plan indicated a vacant lot, but somehow a building permit was granted to build an apartment house in an area slated for the street. City Engineer Weaver indicated that this situation had been researched, without success, and remains inexplicable early history; the records will again be checked, however.

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

Assessment Engineer Thompson advised, at Mayor Miller's question, that written protests filed with the City Clerk, and not withdrawn, represent 78.69% of the area of the property to be assessed for the proposed improvement.

Courses of action available to the Council were described by City Attorney Remelmeyer: The Council may either abandon the District or go forward with the District. In view of the majority protest, according to Mr. Remelmeyer, in order to go forward with the District it is necessary that there be a 4/5 vote of the City Council -- with the absence of Councilman Wilson from the previous public hearing, only six may vote, and all six must vote in favor of the subject resolutions in order for the District to go forward; less than six votes would constitute abandonment of the proceedings.

It was the statement of Mayor Miller that there is no way that he can conceive that this should not go forward -- the density in this area without access makes the improvement of this street mandatory. Further, in the Mayor's opinion, the street opening will enhance land values and add to the safety of the area -- debate regarding the assessment to be charged will follow at a later time -- and the entire procedure is representative of necessary growth and progress.

Councilman Armstrong noted the plight of the Delthorne residents -- some 10,000 people in one square mile -- and any relief at all brightens the total picture.

City Attorney Remelmeyer noted the following necessary amendments to the resolutions before the Council:

Resolution "A"

Page 2, SECTION 2:

Revised to read: "That protests and objections have been made by the owners of more than one-half of the area of the property to be assessed for said proposed work. (78.69%)"

Resolution "B"

Page 1, Paragraph 5:

Revised to read: "WHEREAS, protests have been made by the owners of more than one-half of the area of the property to be assessed for the work or improvement, but all protests and objections have been overruled and denied by this City Council, and this City Council has acquired jurisdiction to order the work described in said Resolution No. 72-83;"

At the request of Mayor Miller, City Clerk Coil assigned a number and read title to:

RESOLUTION NO. 72-111 ("A")

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, FINDING AND DETERMINING THAT PUBLIC CONVENIENCE AND NECESSITY REQUIRE CERTAIN WORK AND IMPROVEMENT AND THAT THE PROVISIONS OF THE SPECIAL ASSESSMENT INVESTIGATION, LIMITATION AND MAJORITY PROTEST ACT OF 1931 SHALL NOT APPLY THERETO; AND MAKING FINDINGS AND OVERRULING PROTESTS AND OBJECTIONS AGAINST SAID PROPOSED WORK OR IMPROVEMENTS, THE EXTENT OF THE PROPOSED ASSESSMENT DISTRICT, OR TO THE PROPOSED GRADES OR TO THE PROPERTY TO BE ACQUIRED, OR TO THE STRUCTURES TO BE DEMOLISHED, ALL AS THE SAME ARE DESCRIBED IN RESOLUTION OF INTENTION, RESOLUTION NO. 72-83.

(MARICOPA STREET ASSESSMENT DISTRICT NO. A'11-70-2)

Councilman Sciarrotta moved to waive further reading of Resolution No. 72-111. His motion was seconded by Councilman Armstrong, and roll call vote was unanimously favorable.

MOTION: Councilman Sciarrotta moved for the adoption of ("A") Resolution No. 72-111, as amended by the City Attorney. The motion was seconded by Councilman Armstrong, and carried, with roll call vote as follows:

AYES: COUNCILMEN: Armstrong, Brewster, Sciarrotta, Surber,
Uerkwitz, and Mayor Miller.
NOES: COUNCILMEN: None.
ABSTAIN: COUNCILMEN: Wilson.

It was the comment of Councilman Uerkwitz, at the time of his "yes" vote, that such a vote to overrule the protests is because of his feeling that they are based on the assessment and not for the street.

RESOLUTION NO. 72-112 ("B")

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, ORDERING THE CONSTRUCTION OF CERTAIN STREET IMPROVEMENT WORK, THE ACQUISITION OF CERTAIN REAL PROPERTIES AND THE DEMOLITION OF CERTAIN STRUCTURES IN CONNECTION THEREWITH AND ORDERING POSTING AND PUBLICATION OF NOTICES INVITING SEALED PROPOSALS OR BIDS.

(MARICOPA STREET ASSESSMENT DISTRICT NO. A'11-70-2)

Councilman Sciarrotta moved to waive further reading of Resolution No. 72-112. His motion, seconded by Councilman Uerkwitz, was unanimously approved by roll call vote.

("B")

MOTION: Councilman Uerkwitz moved for the adoption of Resolution No. 72-112, as amended by the City Attorney. His motion was seconded by Councilman Armstrong, and carried, with roll call vote as follows:

AYES: COUNCILMEN: Armstrong, Brewster, Sciarrotta, Surber,
Uerkwitz, and Mayor Miller.
NOES: COUNCILMEN: None.
ABSTAIN: COUNCILMEN: Wilson.

RESOLUTION NO. 72-113 ("C")

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING TWO AGREEMENTS FOR THE PURCHASE OF CERTAIN REAL PROPERTY, AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST SAID AGREEMENTS FOR AND ON BEHALF OF SAID CITY, AND ACCEPTING THE DEEDS THERETO; DECLARING THE ACQUISITION OF SAID PROPERTY TO BE NECESSARY IN CONNECTION WITH THE IMPROVEMENT OF MARICOPA STREET AND ASSESSING THE COST OF SUCH ACQUISITION AS A PART OF THE INCIDENTAL EXPENSES OF SUCH IMPROVEMENT; ORDERING THE ADVANCE OF THE COST OF SUCH

ACQUISITION FROM THE GENERAL FUNDS OF
SAID CITY AND THE REIMBURSEMENT OF SUCH
GENERAL FUNDS AS A PART OF THE INCIDENTAL
EXPENSES OF SUCH IMPROVEMENT.

(MARICIPA STREET ASSESSMENT DISTRICT NO. A'11-70-2)

Councilman Brewster moved to waive further reading of Resolution No. 72-113; the motion was seconded by Councilman Sciarrotta, and roll call vote was unanimously favorable.

MOTION: Councilman Sciarrotta moved for the adoption of Resolution No. 72-113. His motion was seconded by Councilman Uerkwitz, and carried, with roll call vote as follows:

AYES: COUNCILMEN: Armstrong, Brewster, Sciarrotta, Surber,
Uerkwitz, and Mayor Miller.
NOES: COUNCILMEN: None.
ABSTAIN: COUNCILMEN: Wilson.

RESOLUTION NO. 72-114 ("D")

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF TORRANCE, CALIFORNIA, DETERMINING
THE GENERAL PREVAILING RATE OF PER DIEM
WAGE AND THE GENERAL PREVAILING RATE FOR
LEGAL HOLIDAY AND OVERTIME WORK IN THE
CITY OF TORRANCE FOR CERTAIN CRAFTS OR
TYPES OF WORKMEN.

(MARICOPA STREET ASSESSMENT DISTRICT NO. A'11-70-2)

Councilman Uerkwitz moved to waive further reading of Resolution No. 72-114. His motion, seconded by Councilman Wilson, was unanimously approved by roll call vote.

MOTION: Councilman Surber moved for the adoption of Resolution No. 72-114. His motion was seconded by Councilman Uerkwitz, and carried, as follows:

AYES: COUNCILMEN: Armstrong, Brewster, Sciarrotta, Surber,
Uerkwitz, and Mayor Miller.
NOES: COUNCILMEN: None.
ABSTAIN: COUNCILMEN: Wilson.

Mayor Miller at this time reaffirmed that there would be yet another public hearing to determine the assessments.

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11. HEARING CONTINUED FROM MAY 23, 1972 - Construction of curb, gutter, sidewalk and driveways at various locations as shown on the sketches. (Chapter 27 Short Form 1911 Act 72-1) - City Attorney's Opinion No. 72-37.

Mayor Miller announced that this is the time and place for the subject continued hearing, and inquired if anyone wished to be heard. There was no response.

Councilman Sciarrotta moved that the hearing be closed. His motion was seconded by Councilman Armstrong, and roll call vote was unanimously favorable.

City Attorney Remelmeyer provided verbal clarification of his Opinion regarding the proposed exception of Taylor Court, particularly as to the precedent-setting aspect of such exclusion. It was the consensus of the Council that each case is considered on its own merit, thereby eliminating binding precedents.

MOTION: Councilman Surber moved to exclude Taylor Court from the subject Chapter 27 Short Form 1911 Act 72-1. The motion was seconded by Councilman Uerkwitz, and carried, with roll call vote as follows:

AYES: COUNCILMEN: Armstrong, Brewster, Sciarrotta, Surber,
Uerkwitz, and Mayor Miller.

NOES: COUNCILMEN: None.

ABSTAIN: COUNCILMEN: Wilson.

12. REQUEST FROM DEL AMO TRANSPORTATION COMPANY AND BLUE AND WHITE CAB COMPANY to raise their present taxicab rates.

RECOMMENDATION OF FINANCE DIRECTOR/LICENSE SUPERVISOR:

That favorable consideration be given the requests of Del Amo Transportation Company and Blue and White Cab Company for the proposed rate increase, per May 24th communication.

Mayor Miller inquired if anyone wished to be heard in this matter; there was no response.

Councilman Sciarrotta moved that the hearing be closed. His motion was seconded by Councilman Armstrong, and roll call vote was unanimously favorable.

MOTION: Councilman Uerkwitz moved to concur with the above recommendation of the Finance Director and License Supervisor. The motion was seconded by Councilman Sciarrotta, and roll call vote was unanimously favorable.

PLANNING AND ZONING HEARINGS:

13. V 72-5, HARVEY E. BAKER. Request for a variance from the provisions of the R-1 zone to permit the construction of eight single family residences on four parcels (two on each parcel). RECOMMENDED FOR APPROVAL BY THE PLANNING COMMISSION SUBJECT TO CERTAIN CONDITIONS.

Affidavit of Publication was presented by City Clerk Coii, and it was ordered filed, there being no objection.

Correspondence: 1 letter of protest; 1 letter of approval.

Mayor Miller announced that this is the time and place for the subject public hearing. There was no response.

Councilman Sciarrotta moved that the hearing be closed. His motion was seconded by Councilman Armstrong, and roll call vote was unanimously favorable.

MOTION: Councilman Sciarrotta moved to concur with the recommendation of the Planning Commission for approval of V 72-5, subject to all conditions. His motion was seconded by Councilman Armstrong, and roll call vote was unanimously favorable.

14. REQUEST FOR A CONTINUANCE OF VARIANCE 71-11 by the First Baptist Church to conduct related activities at 1742 Manuel Avenue (The Ark).

An Affidavit of Publication was presented by City Clerk Coil, and it was ordered filed, there being no objection.

Mayor Miller announced that this is the time and place for the public hearing re: Variance 71-11.

City Manager Ferraro requested that Staff condition #5 -- "That the rear yard area shall be improved as a parking lot in accordance with the off-street parking ordinance." -- be removed; it appears on the report in error, such requirement having been previously deleted.

There was review by Planning Director Shartle -- Mr. Shartle also noted that there are no protests of record and that there apparently has been satisfactory compliance by the church.

Mr. Jack Willinski, 1729 Manuel, reported that The Ark operation has been problem-free, in spite of his reservations as to its success. Mr. Willinski then pointed out that the summer months last year had caused the concern in the neighborhood, and expressed the hope that the members would continue to use the alley area, rather than the front of the property in the immediate summer months ahead.

Assurance to the residents that the present order would continue was offered by Reverend Lloyd Newlin. Reverend Newlin also commented that The Ark has proved a most profitable experience for the young people involved, and that the very close supervision will continue throughout the summer. The need for a Monday or Tuesday night on their schedule was pointed out by Reverend Newlin with the request that they be permitted one additional night, with hours from approximately 7:30 P.M. to 10:30 P.M. There were no objections to the request; however, 7:00 P.M. to 10:00 P.M. was favored by the Council.

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

MOTION: Councilman Surber moved to grant the request for continuance of V 71-11, First Baptist Church, subject to all Staff conditions, condition #5 to be deleted -- further, that additional hours, Monday - 7:00 P.M. to 10:00 P.M. - be granted. The motion was seconded by Councilman Armstrong, and roll call vote was unanimously favorable.

PLANNING AND ZONING MATTERS:

15. ORDINANCE governing C-5 zones.

ORDINANCE NO. 2331

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING ARTICLE 24 OF DIVISION 9, CHAPTER 1, OF THE TORRANCE MUNICIPAL CODE GOVERNING C-5 ZONES.

Councilman Sciarrotta moved for the approval of Ordinance No. 2331 at its first reading. His motion, seconded by Councilman Brewster, was unanimously approved by roll call vote.

APPEALS OTHER THAN PLANNING AND ZONING:

16. Withdrawn. (Taxi Cab Drivers License of D.E. Buettner).
 17. AD HOC COUNCIL COMMITTEE REPORT re: BILLBOARDS.

RECOMMENDATION OF AD HOC COMMITTEE:

1. Redraft the existing Billboard Ordinance to provide for review by the Planning Commission under an informal hearing procedure, similar to that used for home occupation permits, of any proposed billboards in manufacturing zones.
2. To require a Conditional Use Permit for installation of any billboard in any of the commercial zones allowable in the existing ordinance.
3. Work with Staff to clarify any other problem areas in the existing ordinance.

Councilman Armstrong clarified the findings of the Ad Hoc Committee in arriving at the above recommendations -- Councilman Uerkwitz pointed out the avenues of appeal to the Council.

Mr. Ed Dato, Foster and Kleiser, requested, and received, clarification re: "the home occupation permit procedure" -- Mr. Dato would prefer this faster process applicable to both the commercial and industrial zones. Concern for adequate controls in commercial areas was indicated by the Committee members, hence the recommended CUP procedure.

MOTION: Councilman Sciarrotta moved to concur with the above recommendations of the Ad Hoc Committee re: Billboards. The motion was seconded by Councilman Armstrong, and roll call vote was unanimously favorable.

The hour being 8:35 P.M., Councilman Sciarrotta moved to recess as City Council and reconvene as the Redevelopment Agency. His motion was seconded by Councilman Uerkwitz, and roll call vote was unanimously favorable. A 10-minute recess followed at 8:37 P.M.

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18. APPEAL OF FOSTER AND KLEISER FOR 3 BILLBOARD LOCATIONS.

Mayor Miller announced that this is the time and place for the public hearing re: the subject request.

The effect of the action just taken on Item #17 in connection with this case was reviewed by the Council, it being the consensus that Item #18 had been previously filed, and any action should not be retroactive.

Considered first: B72-5:

RECOMMENDATION OF SIGN REVIEW COMMITTEE:

- (1) Installation approved subject to the conditions that the billboard be limited to 25 ft. in height; (2) that underground utilities be provided; (3) that the base of the planter be planted with low maintenance shrubs and be maintained; and (4) that the billboard be abated when the property is developed. (Noted was the fact that this was a replacement, and not a new billboard.)

Representing Foster and Kleiser, Mr. Ed Dato indicated their objections to the required landscaping on the basis that it is a vacant lot with very little ^{to} offer by way of landscaping and would present a maintenance problem.

Council discussion followed -- specifically noted were watering difficulties and overall ineffectiveness of planters and landscaping at this site -- it was the recommendation of Councilman Brewster that the proponent be permitted to go ahead and build, with judgment reserved by the Council as to whether or not planting is desired after review of the structure.

There being no one else who wished to be heard on B72-5, Councilman Surber moved that the hearing be closed. His motion was seconded by Councilman Uerkwitz, and roll call vote was unanimously favorable.

MOTION: Councilman Uerkwitz moved to approve B72-5, subject to Staff conditions 1, 2, and 4; further, that approval be subject to Councilman Brewster's recommendation (the proponent be permitted to go ahead and build; determination re: planting to be made after review of the structure). The motion was seconded by Councilman Sciarrotta. Staff was directed to return this item 30 days after installation.

Prior to roll call vote, Mr. Dato stipulated to the above, and indicated concurrence that this matter be returned 30 days from the time of installation.

Councilman Uerkwitz' motion was unanimously approved by roll call vote.

It was the comment of Councilman Armstrong, at the time of his "yes" vote, that he would like to see this particular site developed in the very best possible manner, maybe even a "Wilshire Boulevard Special" instead of settling for less, to the end that it might prove to be an attractive sight to see.

Mayor Miller announced that this is the time and place for the public hearing on B72-6 and B72-7.

There was clarification of these requests by both Assistant to the City Manager Jackson and Mr. Ed Dato. Mr. Dato noted that the Sign Review Committee-recommended 25 ft. height limit is some 17 ft. lower than the height limit established in the billboard ordinance; there is the same situation with the landscaping as in B72-5. Further, Mr. Dato requested that the requirement that the billboard be abated when land develops on which the billboard is located be revised to state "that the billboard be reviewed at that time", rather than abated.

It was further noted by Mr. Dato that Foster & Kleiser have made substantial investments in billboard design and that there is considerable client interest in billboard coverage in the City of Torrance.

Councilman Brewster indicated his preference that the two subject cases be put into the process recommended by the Ad Hoc Committee, with referral to the Planning Commission at this time. This, Mr. Brewster added, would at least follow the spirit of the recommendation of the Ad Hoc Committee, but, in fairness to the applicant, it should be expedited and should be without any additional charges in that the application was prior to the Ad Hoc session. Councilman Armstrong indicated his concurrence with Mr. Brewster's comments.

Councilman Wilson was of the opinion that it would be capricious of the Council to change the rules, with someone caught in the middle -- the integrity of the Council needs to be kept. Dr. Wilson would be opposed to the imposing of any new restrictions after a company has acted in good faith in acquiring clients and making commitments, etc.

To return this matter to any other place for any more hearings, or to require any additional processes because of an ordinance previously passed is applying it retroactively, according to Councilman Uerkwitz; hence his disagreement.

Discussion was now directed to the Sign Review Committee findings, with specific review of their recommended conditions in the event of Council approval.

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.

A series of motions resulted, as follows:

MOTION: Councilman Surber moved to approve B72-6 and B72-7, subject to conditions as recommended by the Sign Review Committee, with the following modifications: Item 2 revised to state "review" instead of "abate"; Item 3: "Landscape plan determination to be made 30 days after installation." The motion was seconded by Councilman Uerkwitz, in order to get it on the floor.

It was the comment of Councilman Armstrong that the case made by the Sign Review Committee is that they are either underground utility districts, or will be so soon; further, in general, Hawthorne is now oversigned (B72-7 being adjacent to the Redevelopment Project). Mr. Armstrong, therefore, cannot vote in favor of the motion, and would urge the Council to do likewise.

Mayor Miller noted the likely feeling of some of the Council that since this application was made prior to the proposed changes, there should be approval of the signs.

The 25 ft. height limit was next discussed, it being noted that 42 ft. was permitted in the existing ordinance -- Mr. Dato stated that great difficulties would be presented, and, in fact, make the one on 230th Street unbuildable.

SUBSTITUTE MOTION: Councilman Uerkwitz moved to grant B72-6 and B72-7, with the stipulation that the billboard be serviced by underground utilities; with review in 30 days re: the planter -- the rest of the usual ordinance requirements to be concurred in. (The height limit to be as in existing ordinance). The motion was seconded by Councilman Wilson, but failed to carry, with roll call vote as follows:

AYES: COUNCILMEN: Surber, Uerkwitz, Wilson.
 NOES: COUNCILMEN: Armstrong, Brewster, Sciarrotta;
 Mayor Miller.

The MAIN MOTION carried, as follows:

AYES: COUNCILMEN: Sciarrotta, Surber, Uerkwitz, Wilson.
 NOES: COUNCILMEN: Armstrong, Brewster; Mayor Miller.

APPEALS - PLANNING AND ZONING:

19. HEARING ON APPEAL CUP 72-10, JOHN DONALD BURRIDGE. Appeal of denial by Planning Commission of a Conditional Use Permit to permit the on-premise sale of beer in connection with a billiard parlor at 3918-20 Sepulveda Boulevard.

An Affidavit of Publication was presented by City Clerk Coil, and it was ordered filed, there being no objection.

Mayor Miller announced that this is the time and place for the subject public hearing.

The attorney for the applicant, Mr. Lowell Graham, outlined the desire of his client to serve bottled beer at his billiard parlor.

Specifically pointed out by Mr. Graham was the fact that, in a similar case, CUP 68-5 was granted Cam Enterprises, Inc. -- along with the further fact that his client feels the selling of beer at his billiard parlor is a must, if it is to be a successful business. Sandwiches will be dispensed as well, according to the proponent.

Staff conditions were reviewed, with Mr. Graham noting that conditions #2 (no further construction within the subject center), #5 (that an avigation easement be granted to the City) and #6 (that street trees be provided along Sepulveda Boulevard) cannot be met in that Mr. Burridge just has a leasehold.

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.

In the opinion of Mayor Miller a billiard parlor is akin to going to a baseball game -- beer seems to go hand-in-hand. Added by Councilman Brewster was that, in this case, billiards are the primary activity and the reason for being there -- Planning Commission and Department concerns are with beer halls period. Planning Director Shartle stated that there is a need for a clear-cut policy regarding the sale of alcoholic beverages -- it has generally been the feeling of the Planning Commission that in most situations a bonafide restaurant dispensing liquor is a different situation than strictly a beer bar. Mr. Shartle acknowledged the gray areas between the two, and a need to draw the line at some appropriate point; in the subject case, it was the opinion of the Planning Department that it was not strictly a beer bar but, rather, a recreational activity with no harm in the serving of beer. The Planning Commission took a different view because of the residences in the neighborhood, etc. and denied the request.

Agreement with the Planning Commission was expressed by Councilman Uerkwitz in that this started out to be a family billiard parlor -- there is already a bar nearby with sufficient access to beer if that will help the billiard parlor to stay in business.

MOTION: Councilman Surber moved that the Council grant CUP 72-10, subject to all Staff conditions, with the following modifications: Item #2, to state: "That no further construction shall be permitted within the premises without prior approval of the Planning Commission."; Conditions #5 and #6 to be deleted. The motion was seconded by Mayor Miller, and carried, with roll call vote as follows:

AYES: COUNCILMEN: Brewster, Sciarrotta, Surber, Wilson,
Mayor Miller.

NOES: COUNCILMEN: Armstrong, Uerkwitz.

Specifically noted was Condition #8: "That this permit be issued on a year-to-year basis subject to review by the Planning Commission....." Mayor Miller pointed out the control thereby afforded. Councilman Sciarrotta indicated that his "yes" vote was because of the year-to-year basis.

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13.

City Council
June 13, 1972

REAL PROPERTY:

20. RESOLUTION authorizing assignment of the J.R. and C.A. Silveira lease to Andre P. Nebolon.

RESOLUTION NO. 72-115

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST A CONSENT TO ASSIGNMENT OF AIRPORT HANGAR LEASE OF J.R. SILVEIRA AND C.A. SILVEIRA TO ANDRE P. NEBOLON AND MARGARET H. NEBOLON.

Councilman Sciarrotta moved for the adoption of Resolution No. 72-115. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

FISCAL MATTERS:

21. INTERIOR DESIGN FOR NEW CITY HALL

RECOMMENDATION OF CITY MANAGER:

That Council authorize the City Manager to enter into an agreement with Heitschmidt/Mounce/Associates to provide interior design for City Hall for a fee of 8½%, not to exceed \$5,250.00.

RECOMMENDATION OF FINANCE DIRECTOR:

That Council approval of this item include an appropriation of \$5,250 from the Civic Center Improvement Reserve.

MOTION: Councilman Sciarrotta moved to concur with the above recommendations of the City Manager and the Finance Director. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

AIRPORT MATTERS:

22. RESOLUTION authorizing petroleum agreement between City and Gerardin Corporation and the petroleum agreement between the City and Texaco, Inc.

RESOLUTION NO. 72-116

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST THE PETROLEUM AGREEMENT BETWEEN THE CITY AND THE GERARDIN CORPORATION, DATED JUNE 13, 1972; AND THE PETROLEUM AGREEMENT BETWEEN THE CITY AND TEXACO, INC., DATED JUNE 13, 1972.

Councilman Wilson moved for the adoption of Resolution No. 72-116. His motion, seconded by Councilman Surber, was unanimously approved by roll call vote.

At Councilman Uerkwitz' question, Airport Manager Egan confirmed that there is protection - jet fuel-wise - by a previous policy.

PARK AND RECREATION:

23. SUR LA BREA PARK.

RECOMMENDATION OF PARK, RECREATION AND COMMUNITY DEVELOPMENT COMMITTEE:

1. That the City Attorney should proceed with the appeal of the condemnation judgment, and .
2. That the matter should be referred to the Park and Recreation Commission for further review, analysis and recommendation on alternate approaches for acquisition and developing Sur La Brea Park.

MOTION: Councilman Sciarrotta moved to concur with the above recommendation of the Park, Recreation and Community Development Committee. His motion was seconded by Councilman Surber; roll call vote was unanimously favorable.

MATTERS NOT OTHERWISE CLASSIFIED:

24. RESOLUTION authorizing the execution of agreement with the Reorganized Church of Jesus Christ of Latter Day Saints.

RESOLUTION NO. 72-117

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 AGREEMENT DATED JUNE 13, 1972, BETWEEN THE CITY AND THE REORGANIZED CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS.

Councilman Wilson moved for the adoption of Resolution No. 72-117; his motion, seconded by Councilman Armstrong, carried, with roll call vote as follows:

AYES: COUNCILMEN: Armstrong, Brewster, Sciarrotta, Uerkwitz, Wilson, and Mayor Miller.
NOES: COUNCILMEN: Surber (opposed to 14-story buildings).

ENVIRONMENTAL MATTERS:

25. UNDERGROUND UTILITIES REIMBURSEMENT DISTRICT NO. 1
(234th Street between Crenshaw Boulevard and Pennsylvania per sketch).

RESOLUTION NO. 72-118

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, DECLARING ITS INTENTION TO CREATE UNDERGROUND UTILITIES REIMBURSEMENT DISTRICT NO. 1, BEING THAT PORTION OF 234TH STREET BETWEEN CRENSHAW BOULEVARD AND PENNSYLVANIA AVENUE AS SHOWN ON SKETCH

MARKED EXHIBIT "A" ATTACHED HERETO AND
MADE A PART HEREOF.

Councilman Surber moved for the adoption of Resolution No. 72-118. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

ROUTINE MATTERS:

26. EXPENDITURES OVER \$300:

RECOMMENDATION OF FINANCE DIRECTOR:

That Council approve the following purchases:

1. \$939.33 to Johnson Stationers of Torrance for miscellaneous replacement furnishing for Joslyn Center which includes -- two sofas, two tables, and four lounge chairs as requested by the Recreation Department.
2. \$1422.75 to Pyramid Film for ten films as requested by the City Librarian to use in their Audio-visual program.
3. \$420.00 to Motor Truck Distributors Company for necessary emergency repairs to MACK fire engine transmissions as requested by the Fire Department.
4. \$8,500.00 to Motor Truck Distributors Company "MACK" for the installation of one only Diesel Engine into older Fire unit. This includes all necessary drive train and gear changes to convert from gas to diesel power as requested by the Fire Department for truck #1 (aerial ladder truck). The conversion to diesel is requested in order to prolong the service life of the unit.
5. \$320.41 to Consolidated Electric Dist. for 144 only longlife 150-watt flood lamps, 48 only fluorescent lamps and 12 only lamp ballasts as requested by Traffic and Lighting as replacement items.

27. CLASS SPECIFICATIONS FOR ASSISTANT STREET MAINTENANCE FOREMAN, SENIOR PARK MAINTENANCE LEADMAN AND STREET MAINTENANCE FOREMAN.

RECOMMENDED FOR APPROVAL BY CIVIL SERVICE COMMISSION.

28. REPAIRS TO AIRPORT BUILDING (Bid B72-10)

RECOMMENDATION OF AIRPORT MANAGER/PURCHASING SUPERVISOR:

That Council accept as satisfactory and complete, the work performed by F. Finger, General Contractor, under Purchase Order Contract #33421, including Change Order #1; approve of payment for said work in the total amount of \$2,165.00, and to appropriate \$2,165.00 from the Airport Retained Earnings for said payment.

29. EXPENDITURE FROM SEWER REVOLVING FUND.RECOMMENDATION OF CITY ENGINEER:

That \$7,200.00 be appropriated from the Sewer Revolving Fund for the construction of additional sewer mainline in 236th Place east of Arlington Avenue and in Amie Avenue north of 182nd Street.

30. SUPPLEMENTAL RETIREMENT PLAN FOR MISCELLANEOUS EMPLOYEES.RECOMMENDATION OF CITY MANAGER:

That Council authorize the payment of \$1,800 to Incentive Benefits, Inc., to cover the cost of establishing this plan.

31. CLAIM of Pablo Calan for personal damages.RECOMMENDATION OF CITY CLERK:

That the above claim be DENIED and referred to the City Attorney. The insurance carrier agrees with the above recommendation.

MOTION: Councilman Sciarrotta moved to concur with recommendations on agenda items #26, 27, 28, 29, 30, and #31. His motion was seconded by Councilman Brewster, and roll call vote was unanimously favorable.

ORAL COMMUNICATIONS:

32. City Manager Ferraro noted the need for an Executive Session for the consideration of salaries, wages, and working conditions -- it was agreed to so recess on conclusion of this meeting.

33. The installation of a temporary traffic signal at Plaza del Amo and Carson was proudly reported by City Traffic Engineer Horkay.

34. A progress report from Staff re: the status of the natural gas conversion for City fleet; the Crenshaw School site as recreation space; the list of legislative priorities; plans for summer youth employment program; the bike trail; and the intersection of Sepulveda and Crenshaw -- was requested by Councilman Armstrong.

Legislative Advocate Rupert responded that a report on legislative priorities would be available after July 12th.

35. It was the recommendation of Councilman Brewster that it be made City policy that developers processing tract maps be required to furnish sufficient copies of the now required Environmental Impact Analysis to go to all agencies requiring same, at the developer's expense.

Councilman Brewster also expressed his concern at the absence of City expertise in reviewing such data -- Staff will review this matter and report back.

36. Councilman Uerkwitz reported that three courageous Torrance citizens performed a community service in circumventing purse-snatching incidents in downtown Torrance, and requested that tile plaques be provided, these incidents being of record.

37. A prepared statement by Mayor Miller re: the Torrance Freeway follows:

"There seems to be a great deal of concern and confusion about our intent and the action we took last week with regard to the proposed Torrance Freeway. First of all, I think we all agree that our intent was not in support of a freeway but rather to insure that the Division of Highways could proceed with a corridor study of our area. The result of such a study would be to provide us with comparable alternate solutions to our traffic problems. We know that segments of the community are against freeways, but we don't know what the second or third best solutions are or what impacts alternates would have on our total community. Since last Tuesday a number of homeowner groups and individuals have contacted Assemblyman Beverly's office with different versions of this Council's intent. We have also found that an amendment to Assembly Bill 278 as we suggested last week is not a practical solution. Due to the fact that if the bill were amended to contain the provisions which we suggested, it would also have to provide monies to conduct the corridor study and the bill would have to be reheard by the Assembly because it would then involve Ways and Means and an appropriation.

"We also found in our discussions with Assemblyman Beverly and the State Department of Public Works that we can accomplish the same thing by leaving Assembly Bill 278 unamended and allowing it to rise or fall on its own merit. Concurrent with Assembly Bill 278, Bob Beverly has agreed to introduce a House Resolution which will offer a solution to the problem. This resolution merely indicates legislative intent regarding a transportation corridor study. I would like to read the resolution that we have prepared at his request:

'HOUSE RESOLUTION NO. -

Relative to establishing a priority for the
conduction of a transportation corridor study
within the State of California.

WHEREAS, Assembly Bill 278 deletes Route 107 from the California freeway and expressway system, and

WHEREAS, said deletion diminishes the possibility of a full corridor study under a new policy of the Department of Public Works which makes transportation corridor studies available to California cities, and

WHEREAS, this corridor study application would investigate all the various alternate solutions to traffic problems in the South Bay section of Los Angeles County; NOW, THEREFORE, BE IT

RESOLVED BY THE ASSEMBLY OF THE STATE OF CALIFORNIA, that the State of California Department of Public Works hereby be put on notice as to the legislative intent regarding said transportation corridor study within the specified area, and to specifically accomplish the following:

'a. In the event that Route 1/107 (Torrance Freeway) is deleted from the California freeway and expressway system, the State of California Department of Public Works, Division of Highways, be requested to conduct a transportation corridor study of the South Bay area of Los Angeles County under the new policy of said department.

'b. Said transportation corridor study should fully investigate the various alternate solutions to the traffic problems existing in said South Bay area.

'RESOLVED, that the inclusion of proposed freeway routes should be contained in the proposed transportation corridor study to provide comparable statistical data, since the removal of freeways as possible alternates in the study would inhibit full evaluation and meaningful conclusions.'

"If you all agree, a motion would be in order to direct Tom Rupert, our legislative advocate, to deliver this resolution to Bob Beverly for introduction to the legislature.

"This action will reaffirm our opposition to the Torrance Freeway without jeopardizing a badly needed transportation corridor study."

MOTION: Councilman Sciarrotta moved to direct Legislative Advocate Rupert to deliver the above resolution to Bob Beverly for introduction to the legislature. The motion was seconded by Councilman Uerkwitz, with the comment that this essentially represents the substitute motion offered by him last week -- further, a unanimous decision from the Council would emphasize the intent above outlined, and would be meaningful not only to the legislature but to surrounding cities as well.

Councilman Brewster noted his concern that the deletion and the resolution move together through the process -- Mr. Rupert clarified that were A.B. 278 to clear the Senate tomorrow it would not be effective until some time after the legislative session in January; the above resolution will be introduced in the very near future and will be "through the mill" long before A.B. 278.

Roll call vote on Councilman Sciarrotta's motion proved unanimously favorable.

38. Dr. Howard Laitin, 4916 White Court, representing Victor Homeowners Association, commended Staff for what appears to be a tight budget with a high quality range of services.

This group has also reviewed the Chamber of Commerce's recommendations, and they concur in the need for a projection of income and expenses in a 5-year forecast. Also noted by Dr. Laitin was the League of Women Voters current project -- sources of financing for the City. A "program budget" was also recommended by Dr. Laitin.

Relative to the corridor study, it was the suggestion of Dr. Laitin that planning for such a study begin now here in Torrance -- a Traffic and Lighting Department expense which must be honored, and a budget consideration.

At 10:30 P.M. Councilman Uerkwitz moved to recess for the purpose of an Executive Session for the purpose of discussing wages, salaries, and working conditions. The motion was seconded by Councilman Brewster, and roll call vote was unanimously favorable. Mayor Miller announced that no further business would be conducted. Formal adjournment was at 11:18 P.M. , at which time Councilman Sciarrotta MOVED TO ADJOURN to Wednesday, June 14, 1972, at 4:00 P.M. for a Budget Workshop Session. The motion was seconded by Council Uerkwitz, and roll call vote was unanimously favorable.

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Vernon W. Coil

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

Ken Miller

Mayor of the City of Torrance