

I N D E XCity Council - March 1, 1977

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SUBJECT:

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ORAL COMMUNICATIONS (Cont.):

- 29. City Attorney Remelmeyer re: Executive Session 16
- 30. Councilman Rossberg re: Retirement Dinner for
former Councilman Surber 16

Adjourned at 9:05 P.M.

#

Ava Cripe
Minute Secretary

ii.

City Council
March 1, 1977

March 1, 1977

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, March 1, 1977, at 5:30 P.M. in the Council Chambers at Torrance City Hall.

2. ROLL CALL:

Present: Councilmembers Armstrong, Brown, Geissert, Rossberg and Mayor Miller. Absent: Councilmen Wilson (attending League Conference in Washington, D.C.) and Brewster (due to illness).

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

3. FLAG SALUTE:

Mr. Lee Larsen led in the salute to the flag.

4. INVOCATION:

Reverend Bill Norton, South Bay Baptist Church, gave the invocation.

STANDARD MOTIONS:

5. APPROVAL OF MINUTES:

None available.

6. MOTION TO WAIVE FURTHER READING:

Councilman Armstrong moved that after the City 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 Councilmember the right to demand the reading of any such resolution or ordinance in regular order. The motion was seconded by Councilwoman Geissert, and roll call vote was unanimously favorable (Absent: Councilmen Brewster, Wilson).

7. COUNCIL COMMITTEES:

Transportation Committee:

Met on February 28th re: avigation easement; will meet again on this matter on March 21st.

1.

City Council
March 1, 1977

At this point in the meeting, Mr. Lee Larsen, on behalf of the Sportsman's Club, invited the Council to attend its annual meeting on March 23rd at 8:30 P.M.

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PROCLAMATION:

8A. NATIONAL ACTION CRUSADES WEEK - March 6-12, 1977.

So proclaimed by Mayor Miller.

PRESENTATION:

8. DATA PROCESSING STATUS REVIEW ON FACILITY MANAGEMENT FOR DATA PROCESSING SERVICES.

An informative presentation was provided by Data Processing Manager Gary Sharp -- Mr. Sharp was commended by the Council for his enlightening report.

COMMUNITY AFFAIRS:

9. HUMAN RESOURCES DAY - April 25, 1977.

RECOMMENDATION OF HUMAN RESOURCES COMMISSION:

That Council:

1. Proclaim Monday, April 25th, as City of Torrance Human Resources Day.
2. Approve the Human Resources Commission's proposed program format to be held on Monday, April 25, 1977.

MOTION: Councilman Armstrong moved to concur with the recommendation and request of the Human Resources Commission. His motion, seconded by Councilwoman Geissert, was unanimously approved by roll call vote (Absent: Councilmen Brewster, Wilson).

Mayor Miller formally proclaimed Monday, April 25, 1977 as CITY OF TORRANCE HUMAN RESOURCES DAY.

ENVIRONMENTAL MATTERS:

10. HYPERION SLUDGE-DUMPING LITIGATION.

RECOMMENDATION OF DEPUTY CITY ATTORNEY:

That the City Council direct the City Attorney to intervene on behalf of the City of Torrance in the lawsuit entitled Pacific Legal Foundation et al. v. Quarles, et al. and to report back to the Council after resolution of the Motion of Preliminary Injunction as to future participation.

MOTION: Councilman Brown moved to concur with the above stated recommendation of Deputy City Attorney Freeman. His motion was seconded by Councilman Armstrong, and roll call vote was unanimously favorable (Absent: Councilmen Brewster, Wilson).

FISCAL MATTERS:11. LEAGUE OF CALIFORNIA CITIES BUILDING ASSESSMENT.RECOMMENDATION OF FINANCE DIRECTOR:

That the City Manager be directed to notify the League of California Cities that the City will be making a one-time payment on this special assessment, and to include \$12,370.50 in the 1977-78 budget for that purpose.

MOTION: Councilman Armstrong moved to concur with the recommendation of the Finance Director, as above stated. His motion, seconded by Councilwoman Geissert, was unanimously approved by roll call vote (Councilmen Brewster, Wilson absent).

MANPOWER MATTERS:12. RESOLUTION re: On-The-Job Training Programs.RESOLUTION NO. 77-34

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST THOSE CERTAIN CONTRACTS FOR ON-THE-JOB TRAINING BY AND BETWEEN THE CITY OF TORRANCE AND DICK'S CUSTOM UPHOLSTERY AND PARNELLI JONES ENTERPRISES

Councilwoman Geissert moved for the adoption of Resolution No. 77-34. Her motion was seconded by Councilman Brown, and roll call vote was unanimously favorable (Councilmen Brewster, Wilson absent).

13. RESOLUTION re: modification to existing CETA contracts.RESOLUTION NO. 77-35

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING THE EXECUTION OF AMENDMENTS TO CERTAIN CONTRACTS ENTERED INTO BY AND BETWEEN THE CITY OF TORRANCE AND STATE OF CALIFORNIA EMPLOYMENT DEVELOPMENT DEPARTMENT; MANPOWER DEVELOPMENT AND TRAINING CONSULTANTS, INC.; THE TORRANCE UNIFIED SCHOOL DISTRICT; AND THE LOS ANGELES UNIFIED SCHOOL DISTRICT TO INCREASE FUNDING TO EACH UNDER TITLE I OF THE COMPREHENSIVE EMPLOYMENT AND TRAINING ACT OF 1973

Councilman Armstrong moved for the adoption of Resolution No. 77-35. His motion was seconded by Councilman Brown, and roll call vote was unanimously favorable (Absent: Councilmen Brewster, Wilson).

14. REALLOCATION OF POSITIONS WITHIN REFUSE DIVISION BUDGET OF STREET DEPARTMENT.

RECOMMENDATION OF ACTING STREET MAINTENANCE SUPT.:

That Council approve the subject request to reallocate positions. The addition of two Refuse Truck Operator positions and the elimination of two Refuse Worker positions will aid in the orderly transition from two-man refuse collection to one-man service.

MOTION: Councilman Armstrong moved to concur with the recommendation of the Acting Street Maintenance Superintendent. The motion, seconded by Councilwoman Geissert, was unanimously approved by roll call vote (Absent: Councilmen Brewster, Wilson).

PERSONNEL MATTERS:

15. ORDINANCE re: HCD Assignment - Engineers.

ORDINANCE NO. 2727

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING PART III OF CHAPTER 7, DIVISION 1 OF THE TORRANCE MUNICIPAL CODE TO EFFECT REVISIONS IN HOURS, WAGES AND WORKING CONDITIONS

Councilwoman Geissert moved for the approval of Ordinance No. 2727 at its first reading. Her motion, seconded by Councilman Armstrong, was unanimously approved by roll call vote (Councilmen Brewster, Wilson absent).

MATTERS NOT OTHERWISE CLASSIFIED:

16. 1977-78 HCD BLOCK GRANT APPLICATION.

RECOMMENDATION OF PLANNING DIRECTOR:

That the City Council adopt a final budget at this meeting to permit the Staff to prepare the final application for A-95 review.

MOTION: Councilman Armstrong moved to concur with the recommendation of the Planning Director, as above stated; further, that Staff be directed to work with organizations, further defining their proposals, so that they might be reconsidered by the Council. The motion was seconded by Councilman Rossberg, and roll call vote was unanimously favorable (Councilmen Brewster, Wilson absent).

SECOND READING ORDINANCES:

17. ORDINANCE NO. 2726.

ORDINANCE NO. 2726

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING SECTION 17.43.1

OF THE TORRANCE MUNICIPAL CODE CHANGING
THE CLASS TITLE OF PRINCIPAL LIBRARIAN
TO LIBRARY PROGRAMS ADMINISTRATOR

Councilman Armstrong moved for the adoption of Ordinance No. 2726 at its second and final reading. His motion, seconded by Councilman Brown, was unanimously approved by roll call vote (Councilmen Brewster, Wilson absent).

PLANNING AND ZONING MATTERS:

18. HILLSIDE ORDINANCE GUIDELINES AND OVERLAY ZONE.

Following Staff presentation by Planning Technician Progen, the following MOTION (later revised) was offered by Councilman Armstrong: That the Council concur with the recommendations of the Planning Commission and Planning Department (per communication of February 23, 1977). The motion was seconded by Councilwoman Geissert, and carried, with roll call vote as follows:

AYES: COUNCILMEMBERS: Armstrong, Brown, Geissert,
Mayor Miller.
NOES: COUNCILMEMBERS: Rossberg.
ABSENT: COUNCILMEMBERS: Brewster, Wilson.

Councilman Rossberg stated that his negative vote was for the reason that certain items under C. regarding views seem to be "getting into a subjective thing" involving matters of personal opinion.

Council discussion ensued -- considered were the guidelines/ordinance status; criteria establishment and enforcement; the recommended overlay zone; etc. -- it being ultimately agreed that Items 6, 7 and 8 under Section C were inappropriate requirements.

Councilman Armstrong thereupon WITHDREW HIS ORIGINAL MOTION, and offered the following revised motion: That the Council concur with the recommendations of the Planning Commission and Planning Department (per communication of February 23, 1977), deleting Items 6, 7 and 8 Under Section C; further, Section III. to be revised to state: ".....be reviewed by the Planning Department on an annual basis." The motion was seconded by Councilwoman Geissert, and roll call vote was unanimously favorable (Councilmen Brewster, Wilson absent).

Mrs. Ruby McKee requested further review re: setback requirements as recommended by Mr. Hoffman of Converse Davis, it being his recommendation that the 1973 Edition of the Building Code be adopted, but, in her opinion, the 1976 version would be the right one to adopt. Building and Safety Director McKinnon elaborated on current conflicts in the 1976 Code and its delayed adoption; the provisions of concern to Mrs. McKee are being strictly enforced and exceeded, per Mr. McKinnon. Mrs. McKee indicated that she would provide the Council with written material on this matter.

HEARINGS - OTHER THAN PLANNING:

19. JOINT PUBLIC HEARING BETWEEN THE CITY COUNCIL AND THE REDEVELOPMENT AGENCY OF THE CITY OF TORRANCE ON THE PROPOSED AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE TORRANCE FASHION WAY REDEVELOPMENT PROJECT AND ON THE NEGATIVE DECLARATION.

Mayor Miller announced that it was now the hour of 7:05 P.M. and the time for the joint meeting of the City Council, acting as the City Council and as the Redevelopment Agency of the City of Torrance, which has been called for the purpose of conducting a public hearing on the Proposed Amendment to the Redevelopment Plan and on the Negative Declaration for the Fashion Way Redevelopment Project, pursuant to the Community Redevelopment Law of the State of California.

It was further stated by the Mayor that this was the time and place set for this joint public hearing as specified in the Notice of Joint Public Hearing published pursuant to the California Community Redevelopment Law -- also, that this hearing has been advertised and notices have been mailed to all the owners of property within the Project area and within 300 ft. surrounding the Project area.

Accordingly, Mayor Miller offered the following MOTION: That the City Council convene in joint session as the City Council of the City of Torrance and as the Redevelopment Agency of the City of Torrance for the purpose of this public hearing and for the conduct of any other Redevelopment Agency business. The motion was seconded by Mr. Armstrong, and roll call vote was unanimously favorable (Absent: Members Brewster, Wilson).

The Mayor then ascertained from Sr. Deputy Executive Director Scharfman that the subject notices have been published and mailed, and, in addition, notices of the hearing were posted in and around the Project area. Affidavits of Publication, Mailing and Posting were then presented by Mr. Scharfman. Mr. Armstrong MOVED that the Affidavits be received and filed. The motion was seconded by Mr. Brown, and roll call vote was unanimously favorable (Absent: Messrs. Brewster, Wilson).

It was next reported by Mayor Miller that the record contains the following documents:

- a. Report to City Council on the Amendment to the Redevelopment Plan for the Torrance Fashion Way Redevelopment Project.
- b. Proposed Amendment to the Redevelopment Plan for the Torrance Fashion Way Redevelopment Project.
- c. Negative Declaration for the Torrance Fashion Way Redevelopment Project.

Hearing procedures were then outlined by the Mayor, who then declared the public hearing open for the City Council and the Redevelopment Agency of the City of Torrance, and noted that, under the law, it is his responsibility to preside over this joint public hearing.

Mayor Miller requested presentation of the Proposed Amendment to the Redevelopment Plan and the Negative Declaration by the Agency representatives, calling upon Edward J. Ferraro, the Executive Director of the Agency, to introduce any persons who will participate for the Agency.

In compliance with this request, Executive Director Ferraro introduced the following participants: Agency Counsel Remelmeyer, Special Counsel Kane, and Sr. Deputy Executive Director Scharfman. Messrs. Ferraro, Remelmeyer, Kane and Scharfman were duly sworn in by City Clerk Coil.

A presentation by Sr. Deputy Executive Director Scharfman encompassed the Proposed Amendment to the Redevelopment Plan, which deletes the Imperial Bank property from the Project, and the Negative Declaration, which states that there will be no significant adverse impact on the environment as a result of this amendment.

City Clerk Coil, at the request of Mayor Miller, read written communications, of record, in the subject matter from the County Sanitation District of Los Angeles County and the Metropolitan Water District of Southern California, both agencies indicating no objections to the proposed project.

Mayor Miller then invited anyone who wishes to speak to do so; there was no response at this time.

Member Armstrong moved that the hearing be closed. His motion, seconded by Mr. Rossberg, was unanimously approved by roll call vote (Messrs. Brewster, Wilson absent).

Comments from Members were invited by Mayor Miller. Mr. Brown requested reaffirmation of the desire of Imperial Bank to be deleted from the Project. A representative was present to so affirm -- it was the direction of Mayor Miller that the hearing be reopened to properly entertain such comments.

Mrs. Geissert MOVED to reopen the public hearing; the motion was seconded by Mr. Armstrong, and roll call vote was unanimously favorable (Absent: Messrs. Brewster, Wilson).

Representing Imperial Bank, Attorney Gerald Granoff was duly sworn in by City Clerk Coil, and advised that they still desire to be excluded from the Project.

Mrs. Ed Greene, 3205 Onrado, questioned the exact property involved at this time, and was advised by City Attorney Remelmeyer that only the Imperial Bank parcel was involved. Mrs. Greene likewise was sworn in by City Clerk Coil.

It was the added comment of Executive Director Ferraro at this time that Imperial Bank intends to proceed with their expansion program as soon as there is resolution of the lease problem with the adjacent restaurant.

There being no one else who wished to be heard, Mr. Armstrong moved that the hearing be closed. His motion was seconded by Mr. Brown, and roll call vote was unanimously favorable (Messrs. Brewster, Wilson absent).

MOTION: Member Armstrong moved to incorporate comments and testimony of the public, the staff and members of the Agency, and a copy of the Minutes of this public hearing into the records. The motion was seconded by Mrs. Geissert, and roll call vote was unanimously favorable (Absent: Members Brewster, Wilson).

MOTION: Mrs. Geissert moved that the Agency find that the Negative Declaration for the Fashion Way Redevelopment Project has been completed in compliance with the California Environmental Quality Act and all state and local regulations and guidelines adopted pursuant thereto, and that the information contained in the Negative Declaration for said Project has been reviewed and considered by the Agency. It indicates that there will be no adverse impact on the environment as a result of the Proposed Amendment to the Redevelopment Plan and, therefore, that this Negative Declaration for the Project be certified and adopted.

Mrs. Geissert's motion was seconded by Mr. Rossberg, and roll call vote was unanimously favorable (Members Brewster and Wilson absent).

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

RESOLUTION NO. RA 77-5

A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF TORRANCE CERTIFYING AND ADOPTING A NEGATIVE DECLARATION FOR THE PROPOSED AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE TORRANCE FASHION WAY REDEVELOPMENT PROJECT, WHICH STATES THAT THIS AMENDMENT WILL NOT HAVE A SIGNIFICANT IMPACT ON THE ENVIRONMENT

Mr. Armstrong moved to waive further reading of Resolution No. RA 77-5. His motion, seconded by Mr. Rossberg, was unanimously approved by roll call vote (Members Brewster, Wilson absent).

MOTION: Mr. Armstrong moved for the adoption of Resolution No. RA 77-5. His motion was seconded by Mr. Rossberg, and roll call vote was unanimously favorable (Absent: Members Brewster, Wilson).

Next read by Clerk Coil, at the direction of Mayor Miller:

RESOLUTION NO. 77-36

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE CERTIFYING AND ADOPTING A NEGATIVE DECLARATION FOR THE PROPOSED AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE TORRANCE FASHION WAY REDEVELOPMENT PROJECT, WHICH STATES THAT THIS AMENDMENT WILL NOT HAVE A SIGNIFICANT IMPACT ON THE ENVIRONMENT

Councilman Armstrong moved to waive further reading of Resolution No. 77-36. His motion was seconded by Councilman Rossberg, and roll call vote was unanimously favorable (Absent: Councilmen Brewster, Wilson).

MOTION: Councilman Armstrong moved for the adoption of Resolution No. 77-36. His motion, seconded by Councilman Rossberg, was unanimously approved by roll call vote (Absent: Councilmen Brewster, Wilson).

Attention was now directed to the ordinance approving and adopting the Amendment to the Redevelopment Plan. It was the request of Special Counsel Kane that the following points be incorporated in the ordinance as an additional Section (Section 14):

"The City Council hereby finds and determines that:

- "(1) The Project area was and still is a blighted area, the redevelopment of which was and is necessary to effectuate the public purposes declared in the Community Redevelopment Law of the State of California;
- "(2) The amended Redevelopment Plan will redevelop the Project area in conformity with the Community Redevelopment Law of the State of California and in the interests of the public peace, health, safety and welfare;
- "(3) The adoption and carrying out of the amended Redevelopment Plan is economically sound and feasible;
- "(4) The amended Redevelopment Plan conforms to the General Plan of the City of Torrance;
- "(5) The carrying out of the amended Redevelopment Plan will promote the public peace, health, safety and welfare of the City of Torrance and will effectuate the purposes and policies of the Community Redevelopment Law of the State of California;
- "(6) The condemnation of real property, as provided for in the amended Redevelopment Plan for the Project area, is necessary to the execution of the amended Redevelopment Plan and adequate provisions have been made for payment for property to be acquired as provided by law;
- "(7) The amended Redevelopment Plan for the Project area will afford a maximum opportunity consistent with the sound needs of the locality as a whole for the redevelopment of such area by private enterprise;
- "(8) In order to further implement and facilitate the effectuation of the amended Redevelopment Plan it is found and determined that certain official action must be taken by the City Council with reference, among other things, to changes in zoning, the vacating and removal of streets and other public ways, the location and relocation of sewer and water mains and other public facilities, and other public action, and accordingly the City Council hereby:
- (a) Pledges its continued cooperation in helping to carry out the amended Redevelopment Plan; and
 - (b) Requests the various officials, departments, boards and agencies of the City of Torrance having administrative responsibilities in the premises to continue to cooperate to such end and to exercise their respective functions and powers in a manner consistent with said amended Redevelopment Plan; and

- (c) Continues to stand ready to take appropriate action upon proposals and measures designed to effectuate the amended Redevelopment Plan.

"(9) The objectives of the amended Redevelopment Plan cannot be achieved through more extensive rehabilitation of the Project area."

Questioned by the Members was the late date and hour of the presentation of the above information, and the need for further review was indicated. Mr. Kane advised that the foregoing items were contained in Ordinance No. 2715 previously adopted, and inadvertently omitted on this date. It was the consensus of the Members that there be a recess at this point in order that City Attorney Remelmeyer might review Ordinance No. 2715 and confirm these findings.

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Mayor Miller thereupon ordered a 10-minute recess to permit the above requested review by the City Attorney -- the hour was 7:30 P.M.

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On resumption of the meeting, City Attorney Remelmeyer advised that he had checked the conformed copy of Ordinance No. 2715, and that there are two differences in the items read by Special Counsel Kane: (1) there was an item #7 in the original findings to the effect that there are no families or persons to be displaced from housing facilities in the Project area, but in the event any such families and persons are displaced by Project activities, then the Agency has a feasible method and plan for the relocation, and there will be provided in the Project area certain replacement facilities -- but there are no families or persons to be displaced, per Mr. Remelmeyer, so that item was eliminated from the findings just read by Mr. Kane.

In addition, Mr. Kane has one finding (#9) that is not incorporated in the original findings, and, according to Mr. Remelmeyer, this finding should be eliminated from the findings to be incorporated in the new ordinance.

MOTION: Member Armstrong moved that the new Section 14, Subsections #1 through #8, as above read by Special Counsel Kane, be incorporated in the ordinance now being considered. The motion was seconded by Mr. Rossberg, and carried, with roll call vote as follows:

AYES: MEMBERS: Armstrong, Geissert, Rossberg;
Mayor Miller.

NOES: MEMBERS: Brown.

ABSENT: MEMBERS: Brewster, Wilson.

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

ORDINANCE NO. 2728

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF TORRANCE AMENDING ORDINANCE NO.
2715 OF THE CITY COUNCIL, AND APPROVING
AND ADOPTING AN AMENDMENT TO THE REDEVELOP-
MENT PLAN FOR THE TORRANCE FASHION WAY
REDEVELOPMENT PROJECT

Mr. Armstrong moved to waive further reading of Ordinance No. 2728. His motion, seconded by Mr. Rossberg, was unanimously approved by roll call vote (Messrs. Brewster, Wilson absent).

MOTION: Member Armstrong moved to approve Ordinance No. 2728, with inclusion of Section 14, Subsections 1 through 8, as indicated by Special Counsel Kane, at its first reading. Motion was seconded by Mr. Rossberg, and carried, as follows:

AYES: MEMBERS: Armstrong, Geissert, Rossberg;
Mayor Miller.

NOES: MEMBERS: Brown.

ABSENT: MEMBERS: Brewster, Wilson.

It was the comment of Mr. Brown that his negative vote was for reasons stated by him at the December meeting, based on his inability to find blight in this Project -- he certainly does not oppose the exclusion of Imperial Bank from the Project.

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APPEALS - OTHER THAN PLANNING:

20. SIGN APPEAL FOR STEVE'S BURGERS, 20055 Anza Avenue.
 RECOMMENDED DENIAL by Environmental Quality Commission.
 RECOMMENDED APPROVAL by Building and Safety Department,
 Environmental Division.

Staff presentation was provided by Building and Safety Director McKinnon.

MOTION: Councilman Armstrong moved to concur with the recommendation of the Building and Safety Department for approval of the subject sign. The motion was seconded by Councilman Rossberg, and roll call vote was unanimously favorable (Absent: Councilmen Brewster, Wilson).

21. REQUEST FOR TIME EXTENSION on an existing temporary sign by Trevino's Camera Repair, 1625 Crenshaw Boulevard.
 RECOMMENDED FOR DENIAL BY BUILDING AND SAFETY DEPT.

Following presentation by Building and Safety Director McKinnon, the proponent, Mr. Jess Trevino stated his need for the sign in question, and noted his somewhat temporary status at this location; the next six to eight months should decide whether or not he will remain at this address.

It was the consensus of the Council a 4-month extension be granted -- this to be the maximum time permitted for the use of this temporary sign. Councilman Brown so MOVED; the motion was seconded by Councilman Rossberg, and roll call vote was unanimously favorable (Absent: Councilmen Brewster, Wilson).

ROUTINE MATTERS:

22. CONSTRUCTION OF CONCRETE CURBS, GUTTERS AND SIDEWALKS ADJACENT TO SUR LA BREA PARK. (B76-57)

RECOMMENDATION OF CITY ENGINEER:

1. That liquidated damages not be assessed, and
2. That the work be accepted and final payment be made to the contractor on the basis of the as-built qualities.

23. RELEASE OF SUBDIVISION BONDS - Tract No. 27826.
 Subdivider: Peninsula Enterprises, Inc. (Kenneth Battram)
 Bonding Co.: American Motorists Insurance Company

<u>TYPE BOND</u>	<u>BOND NO.</u>	<u>AMOUNT</u>
Performance	6SM-166-610	\$45,400
Payment	6SM-166-610	22,700
Inspection	6SM-166-611	2,100

24. BURGLARY BOND.

RECOMMENDATION OF CITY MANAGER:

That Council accept the quotation of Ohio Casualty Company for burglary-bond coverage at the \$15,000 limit, \$500 deductible, for the three-year period, 1977-1980.

CERTAIN AGREEMENT BETWEEN SAID CITY AND
CARRIAGE REAL ESTATE GROUP, INC. PURCHASING
CERTAIN PROPERTY FOR PARK AND RECREATION
PURPOSES AND ALLOCATING THE SUM OF NOT TO
EXCEED \$250,000 FOR THE ACQUISITION THEREOF

It was the comment of Councilman Rossberg that he will cast a negative vote in this matter -- he reaffirmed his previous remarks that he would prefer to see the \$233,000 put to use in development of present vacant park land. Likewise Mayor Miller reaffirmed his feeling that available funds could be better invested in present park land development in order that there may be some physical use of this land in the not too distant future. Also pointed out by the Mayor was his past long-standing position supporting land acquisition and the creation of a land bank; this has been accomplished, and a limit must be established.

MOTION: Councilman Armstrong moved for the adoption of Resolution No. 77-38. His motion was seconded by Councilman Brown, but failed to receive the necessary four votes, with roll call vote as follows:

- AYES: COUNCILMEMBERS: Armstrong, Brown, Geissert.
- NOES: COUNCILMEMBERS: Rossberg; Mayor Miller.
- ABSENT: COUNCILMEMBERS: Brewster, Wilson.

Mayor Miller stated that, from a practical aspect, and in spite of his opposition in this matter, five people on this Council have supported the subject park site -- it would be unfair to work an unnecessary hardship on the parties involved, just for the purpose of making a point at this meeting. Reconsideration was requested by Mayor Miller in order that he might vote "yes - under protest" in that the absentee Councilmen will so vote on their return.

MOTION: Councilman Armstrong moved for reconsideration of the above motion; seconded by Councilman Brown; roll call vote was as follows:

- AYES: COUNCILMEMBERS: Armstrong, Brown, Geissert;
Mayor Miller.
- NOES: COUNCILMEMBERS: Rossberg.
- ABSENT: COUNCILMEMBERS: Brewster, Wilson.

MOTION: Councilman Armstrong moved for the adoption of Resolution No. 77-38. His motion, seconded by Councilman Brown, carried, with roll call vote as follows:

- AYES: COUNCILMEMBERS: Armstrong, Brown, Geissert;
*Mayor Miller (*under dramatic
- NOES: COUNCILMEMBERS: Rossberg. protest)
- ABSENT: COUNCILMEMBERS: Brewster, Wilson.

Mayor Miller stated that his affirmative vote is "under dramatic protest"; "I think all of you are all wet", and he has so voted only to expedite the matter.

MOTION: Councilman Armstrong moved to concur with Staff recommendations on agenda items #22, 23, and #24. His motion was seconded by Councilman Rossberg, and roll call vote was unanimously favorable (Councilmen Brewster, Wilson absent).

ADDENDA ITEMS:

25. RESOLUTION re: Fujita Property Financing.

RESOLUTION NO. 77-37

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF TORRANCE, CALIFORNIA, PROVIDING
FOR THE ISSUANCE OF A NEGOTIABLE NOTE IN
THE AMOUNT OF \$2,750,000

Councilman Armstrong moved for the adoption of Resolution No. 77-37. His motion, seconded by Councilman Rossberg, carried, with roll call vote as follows:

AYES: COUNCILMEMBERS: Armstrong, Brown, Geissert,
Rossberg; Mayor Miller.
NOES: COUNCILMEMBERS: None.
ABSENT: COUNCILMEMBERS: Brewster, Wilson.

26. RESOLUTION re: Higgins Brick Yard Park.

See below.

ORAL COMMUNICATIONS:

27. City Manager Ferraro announced the March 2nd meeting of the South Bay Corridor Study Steering Committee.

28. Emergency aid rendered by the City to Little Company of Mary Hospital with the loss of their internal power panel this date was reported by City Manager Ferraro.—

ADDENDUM ITEM:

26. RESOLUTION re: Higgins Brick Yard Park.

City Attorney Remelmeyer reported on the successful negotiations with Carriage Realty for the purchase of a park located in the old Higgins Brick Yard, and presented the Agreement and Resolution prepared as a result of these negotiations.

RESOLUTION NO. 77-38

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF TORRANCE AUTHORIZING THE MAYOR
AND CITY CLERK TO EXECUTE AND ATTEST THAT

ORAL COMMUNICATIONS (Continued):

29. An Executive Session for the purpose of discussing pending litigation was requested by City Attorney Remelmeyer.

30. Councilman Rossberg reported on the Police Department retirement dinner for former Councilman Surber, and conveyed Mr. Surber's good wishes to the Councilmembers and his good friends in the City of Torrance.

At 8:45 P.M. the Council recessed for the purpose of an Executive Session to consider pending litigation (a proper subject matter, per City Attorney Remelmeyer).

The Council returned at 9:05 P.M. for adjournment. No action was taken.

#

Ava Cripe
Minute Secretary

APPROVED:

Ken Mice

Mayor of the City of Torrance

16.

City Council
March 1, 1977

Vernon W. Coil

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