

I N D E X

CITY COUNCIL - JULY 8, 1980

ADJOURNED REGULAR MEETING

10:30 A.M.

RE: TORRANCE POLICE FACILITY

* * * * *

Ava Cripe
Minute Secretary

City Council
July 8, 1980

July 8, 1980

MINUTES OF AN ADJOURNED REGULAR
MEETING OF THE TORRANCE CITY COUNCIL

OPENING CEREMONIES:

1. CALL TO ORDER:

The Torrance City Council convened in an Adjourned Regular Meeting on Tuesday, July 8, 1980, at 10:30 A.M. in the Council Chambers at Torrance City Hall.

2. ROLL CALL:

Present: Councilmembers Applegate, Geissert, Rossberg, Walker and Mayor Armstrong. Absent: Councilmen Brown and Wilson.

Also present: City Manager Ferraro and Staff representatives.

* * * * *

Deputy City Attorney Quale affirmed, at Mayor Armstrong's question, that five Councilmembers are a sufficient number to act in the matter of the Award of Bid of Revenue Bonds for the Torrance Police Facility.

It was further ruled by Mr. Quale that Councilman Rossberg -- a member of a stock brokerage firm which might be selling some of the subject bonds downstream -- could participate in the action to be taken this date, there being no conflict of interest.

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3. CONSIDERATION OF AWARD OF BID OF REVENUE BONDS FOR TORRANCE POLICE FACILITY.

Consultant John Fitzgerald summarized the Bid Opening which occurred at 9:30 A.M. this date: Three bids were received, representing a total of 40 firms. The bids ranged from a low 8.975217 to a high 9.141877; the second bid was a 9.020522. It has been verified that all three bids were responsible bids -- the winning bid was submitted by Merrill Lynch White Weld Capital Markets Group, per Mr. Fitzgerald -- acceptance of the bid was recommended.

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

1. City Council
July 8, 1980

RESOLUTION NO. 80-131

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE APPROVING THE AWARDING OF BONDS AND APPROVING AND AUTHORIZING THE EXECUTION OF CERTAIN LEASES WITH THE LOS ANGELES COUNTY-TORRANCE CIVIC CENTER AUTHORITY

Councilman Walker moved for the adoption of Resolution No. 80-131. His motion was seconded by Councilman Applegate.

Ms. Eva Bisou, P.O. Box 3644, Torrance, stated that she supports TPOA's opposition to the new Police Facility.

Roll call vote for the adoption of Resolution No. 80-131 was unanimously favorable (Absent: Councilmen Brown and Wilson).

RESOLUTION NO. 80-132

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE APPROVING THE OFFICIAL STATEMENT PERTAINING TO LEASE REVENUE BONDS FOR THE POLICE FACILITIES BUILDING

Councilman Applegate moved for the adoption of Resolution No. 80-132. His motion, seconded by Councilman Walker, was unanimously approved by roll call vote (Councilmen Brown and Wilson absent).

At 10:45 A.M. Councilman Applegate moved to recess until 7:00 P.M. this evening when the Council will reconvene in regular session. The motion was seconded by Councilman Walker, and roll call vote was unanimously favorable (Absent: Councilmen Brown, Wilson).

* * * * *

Ava Cripe
Minute Secretary

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Shere L. Nelson

City Clerk of the City of Torrance

James R. Applegate

Mayor of the City of Torrance

I N D E X

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Adjourned at 1:31 A.M.

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Ava Cripe
Minute SecretaryCity Council
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July 8, 1980

MINUTES OF AN ADJOURNED REGULAR
MEETING OF THE TORRANCE CITY COUNCILOPENING CEREMONIES:1. CALL TO ORDER:

The Torrance City Council reconvened in an Adjourned Regular Meeting (having originally convened at 10:30 A.M. and recessing at 10:45 A.M. to this hour) on Tuesday, July 8, 1980, at 7:00 P.M. in the Council Chambers at Torrance City Hall.

2. ROLL CALL:

Present: Councilmembers Applegate, Geissert, Rossberg, Walker, Wilson and Mayor Armstrong. Councilman Brown arrived at 7:15 P.M. Absent: None.

3. FLAG SALUTE:

Mrs. Pat Uerkwitz led in the salute to the flag.

4. INVOCATION:

Father P.J. McHugh provided the invocation for the meeting.

STANDARD MOTIONS:5. APPROVAL OF MINUTES:

Councilman Applegate moved to approve the minutes of May 27, 1980, as recorded. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable (Councilman Brown had not yet arrived at the meeting).

6. MOTION TO WAIVE FURTHER READING:

Councilman Applegate moved that after the City Clerk has assigned 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 Councilman Wilson, and roll call vote was unanimously favorable (Councilman Brown had not yet arrived at the meeting).

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7. COUNCIL COMMITTEE MEETINGS.

None scheduled.

10. TRANSPORTATION/PUBLIC WORKS MATTERS:10a. RESOLUTION re: County Aid-to-Cities Funds.RESOLUTION NO. 80-133

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE REQUESTING AN ALLOCATION AND PAYMENT OF COUNTY AID-TO-CITIES FUNDS FOR THE MAINTENANCE OF SELECT SYSTEM STREETS

Councilman Wilson moved for the adoption of Resolution No. 80-133. His motion was seconded by Councilman Applegate, and roll call vote was unanimously favorable (Councilman Brown had not yet arrived at the meeting).

11. POLICE AND FIRE MATTERS:11a. ORDINANCE re: Narcotics Paraphernalia.ORDINANCE NO. 2964

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE ADDING ARTICLE 11 TO CHAPTER 5 OF DIVISION 4 OF THE TORRANCE MUNICIPAL CODE REGULATING THE DISPLAY OF NARCOTICS PARAPHERNALIA TO MINORS

Councilwoman Geissert moved for the approval of Ordinance No. 2964 at its first reading. Her motion was seconded by Councilman Walker, and roll call vote was unanimously favorable (Councilman Brown had not yet arrived at the meeting).

12. PLANNING AND ZONING MATTERS:12a. ORDINANCE re: uses within R-P Zone.RECOMMENDATION OF CITY ATTORNEY:

That Ordinance "A" be adopted since the Planning Commission Review is a sufficiently detailed review to provide neighborhood protection and assure good development, but without the cost and attendant time delays to developers of the full Precise Plan Hearing procedure.

Clarification was provided by Planning Director Shartle. Council discussion ensued. Councilwoman Geissert indicated her preference for the Precise Plan procedure, and MOVED for the adoption of Emergency Ordinance "B". The motion died for lack of a second.

Mr. Tom Lunschen, 2218 West 229th Place, indicated that the Precise Plan requirement would be preferred.

It was the recommendation of Councilman Walker that Ordinance "A" be amended to provide notification to adjacent residents by Staff in an informal procedure, rather than the 300 ft. radius manner.

MOTION: Councilman Walker moved to approve Ordinance "A", with notification to adjacent residents. The motion was seconded by Councilman Brown, and roll call vote was unanimously favorable.

ORDINANCE NO. 2965

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE ADDING SECTION 91.10.12 TO THE TORRANCE MUNICIPAL CODE TO REQUIRE PLANNING COMMISSION REVIEW FOR DEVELOPMENT IN THE R-P ZONE AND DECLARING THE PRESENCE OF AN EMERGENCY

Councilman Walker moved for the adoption of Emergency Ordinance No. 2965, as above modified, at its first and only reading. His motion was seconded by Councilman Brown, and roll call vote was unanimously favorable.

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The Council departed from its regular agenda order at this time to consider the following items:

17. ADMINISTRATIVE MATTERS:

17a. RESOLUTION re: Agreement with Daily Breeze for Legal Advertising.

RESOLUTION NO. 80-134

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 FOR ADVERTISING BETWEEN THE CITY OF TORRANCE AND THE DAILY BREEZE FOR THE FISCAL YEAR 1980-1981

Councilwoman Geissert moved for the adoption of Resolution No. 80-134. Her motion, seconded by Councilman Walker, was unanimously approved by roll call vote.

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18. SECOND READING ORDINANCE:18a. ORDINANCE NO. 2963.ORDINANCE NO. 2963

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF TORRANCE AMENDING SECTION 88.3.4
OF THE TORRANCE MUNICIPAL CODE AUTHORIZING
THE ESTABLISHMENT OF SIGN PERMIT FEES BY
RESOLUTION

Councilman Wilson moved for the adoption of Ordinance No. 2963 at its second and final reading. His motion was seconded by Councilman Applegate, and roll call vote was unanimously favorable.

20. CONSENT CALENDAR:20a. NOTICE OF COMPLETION - Storm Drain in Cabrillo Avenue from 220th Street to 300 feet south of 222nd Street. (B80-17)RECOMMENDATION OF ENGINEERING DEPARTMENT:

That the work be accepted and final payment be made to the contractor, D.G. CONCRETE CONSTRUCTION COMPANY.

*20b. EXTENSION OF RECREATION REPORTER CONTRACT.

Considered separately - see below.

20c. AWARD OF ANNUAL CONTRACT - For Furnishing Chlorine, Pitt Chlor and Muriatic Acid. (REF. BID B80-48)
Expenditure: \$15,334.51RECOMMENDATION OF PURCHASING SUPERVISOR/BUYER:

That your Honorable Body award an annual contract for the City's requirements of miscellaneous water treatment chlorine chemical products to the low bidder, Jones Chemical Company of Torrance, in the total amount of \$15,334.51, including sales tax.

MOTION: Councilman Applegate moved to concur with Staff recommendations on agenda items 20a and 20c. His motion was seconded by Councilman Brown; roll call vote was unanimously favorable.

*20b. EXTENSION OF RECREATION REPORTER CONTRACT.

Councilman Rossberg reviewed the apparent lack of interest in bidding on this contract and the eminently satisfactory job being done by Lienett Printers, it being confirmed by Park

and Recreation Director Barnett that the bid presented by this company was a fair one. Mr. Rossberg then offered the following MOTION: That the Council accept the one bid from Lienett Printers and not go through the cost of rebidding this matter. The motion was seconded by Councilman Brown, and roll call vote was unanimously favorable.

15. HEARINGS:

15c. CUP 80-24, FRANK DURAN. Appeal of Planning Commission denial of a Conditional Use Permit to allow the operation of a training center for gymnasts in the M-1 Precise Plan zone at 3135 Kashiwa Street. PLANNING COMMISSION AND PLANNING DEPARTMENT RECOMMEND DENIAL OF APPEAL.

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

Mayor Armstrong announced that this was the time and place for the subject public hearing, and inquired if anyone wished to be heard.

The proponent, Mr. Frank Duran, 531 Esplanade, Redondo Beach, reviewed the substantial material compiled by him in this matter, of official record, and urged that the Council grant the requested appeal.

Present to join in the request for approval of the subject training center were: Frank White, 22748 Samuel Street (owner of the building); Debbie Johnson, 1211 West 221st Street; Melissa (8 years old); Cheryl Fitt (10 years old); Sue Prock, parents organization president; and David Rice, 5310 Torrance Boulevard.

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

Lengthy Council discussion ensued. Recommended conditions pertaining to class size, hours of operation, Planning Commission review, etc. were reviewed.

Action taken by the Council is reflected below:

MOTION: Councilman Applegate moved to grant the subject appeal and approve CUP 80-24, subject to Planning Department conditions, Fire Department conditions #2,3,4 and 5, and further subject to review at the end of one year, and no classes before 8:00 A.M. or after 9:00 P.M. The motion was seconded by Councilman Wilson.

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Council discussion resumed.

A SUBSTITUTE MOTION was offered by Councilman Walker: That the Council grant the appeal, eliminating condition #3 ("That class size shall be limited to 25 students.") and having an annual Staff review. The substitute motion died for lack of a second.

There was further discussion and a need for additional clarification. Councilman Rossberg moved to reopen the hearing; the motion was seconded by Councilman Walker, and roll call vote was unanimously favorable.

Mr. Duran returned to clarify that there may be several classes of approximately 25 people at one time; the general hours of operation; etc. Class size vs. occupancy size was clarified by Staff members.

Councilman Rossberg expressed his concerns regarding the accessibility of the building for this type of activity and the need to protect the integrity of this industrial community -- he, therefore, will cast a negative vote in this matter.

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

A SUBSTITUTE MOTION was offered by Councilman Walker: That the subject appeal be granted, eliminating condition #3, that there be a 6-month administrative review for the first year and an annual review thereafter, hours of operation to be 8:00 A.M. to 9:00 P.M. The motion was seconded by Councilwoman Geissert, but FAILED TO CARRY, with roll call vote as follows:

AYES: COUNCILMEMBERS: Geissert, Walker, Wilson.
NOES: COUNCILMEMBERS: Applegate, Brown, Rossberg;
Mayor Armstrong.

It was the recommendation of Councilman Brown that the main motion be amended to state that there shall be an initial review at the end of 90 days by the Planning Commission, with administrative review at the end of the year. This amendment was acceptable to both Councilman Applegate, the maker of the motion, and to Councilman Wilson who had seconded the motion.

The MAIN MOTION, as above amended, CARRIED, with roll call vote as follows:

AYES: COUNCILMEMBERS: Applegate, Brown, Geissert,
Walker, Wilson; Mayor Armstrong.
NOES: COUNCILMEMBERS: Rossberg (for earlier stated
reason).

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The hour being 8:20 P.M., a 10-minute recess was ordered by Mayor Armstrong.

6.

City Council
July 8, 1980

15. HEARINGS.

- 15a. Consideration of alternative strategies for the development of affordable housing for low and moderate income families within the City of Torrance. A revised Housing Action Program and 1980-81 CDBG application must be submitted to HUD by July 10, 1980.

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

Mayor Armstrong announced that this was the time and place for the subject public hearing, and, following detailed Staff presentation by Planning Associate Progen, invited comments from the audience.

Speakers were:

Rev. Gordon Dalbey, 111 Paseo de la Playa: This is a matter of the government responding to a crisis; the need for affordable housing is dire.

Howard Mitzman, representing Chappel government housing, 8383 Wilshire Boulevard, Beverly Hills: Noted the need to provide low and moderate income housing, and described HUD efforts to maintain housing of the highest standards.

Jim McDaniel, 2623 West 230th Place, representing Active Citizens of Torrance: A selection of any of the proposed alternatives will only open the door for additional demands by HUD -- it was recommended that the City obtain the justification and source of authority for the immovability of this Agency and then determine its course of action. Further recommended was that the City respectfully submit to HUD, in writing, your joint powers agreement approach with the justification that the City is unaware of any legislative authority in the Section 8 program that prohibits such a solution to the problem. Per ACT, the Council, on submission of the joint powers agreement alternative, should adopt a resolution requesting Torrance's entire congressional delegation to approach the full Congress requesting a full investigation re: HUD's administrative handling of this program.

Kay White, League of Women Voters: The League supports measures which will provide adequate housing for all persons, with emphasis on affordable housing for all age groups in order to maintain Torrance as a balanced community. Alternatives 3,4 and 5 of the revised Housing Action Program are examples of how this could be done. The League strongly urges the Council to adopt a Housing Action Program which will lead towards satisfying the housing needs of the City.

Pat Uerkwitz, 23136 Anza Avenue: It is now time to call in the campaign promises of "no Federal funding" -- it was her request that the Council vote against the entire concept of HUD housing.

Don Raefer, 2922 West 227th Street: Reaffirmed his opposition to the construction of low cost family housing in Torrance, and stated that the proposed alternatives are unacceptable. Adoption of ACT's proposal, as presented by Mr. McDaniel, was urged.

Janice Plank, 1444 Post Avenue, member of PAC: Asked that the Council do something to alleviate the need for low and moderate income housing in Torrance.

Jess Kellman, 21422 Kent Avenue: Young people, like him, who have grown up in Torrance cannot afford to continue living here -- any funds to make this possible should be sought.

Maria Ernst, 22908 Adolph Street: There is no guarantee that Torrance residents would be able to avail themselves of the proposed low cost housing -- this is not really the answer, particularly as proposed by HUD.

Ruth Vogl, 114 Via la Soledad: Favors the Council approving a housing plan that accommodates housing for families of modest means.

Debra Fox, 20560 Anza Avenue: Opposed to adoption of the HUD resolutions.

Mary Perry, 1414 Cravens Avenue: Reviewed problems surrounding Rehabilitation program.

Gladys Mead, 139 Paseo de Gracia: Asked that the Council accept Staff's recommendation -- the people of Torrance will support the provision of housing for Torrance residents and others who would wish to come.

Dave Rankin, 1011 Beech Avenue: Supports Staff's presentation -- affordable housing is sorely needed.

Dorothy Settledge, 3309 Opal Street: Pointed out the selling of school sites by the School Board which will provide more housing for families. This speaker is opposed to the high density of the housing as proposed, and posed the following question to the Council: "How would you vote on low cost high density housing in your neighborhood?" The Mayor advised that this question would be answered at the proper time.

Bob Billett, 5510 Laurette Street, president, Southwood Homeowners Association: First housing obligation of the City is to its handicapped and senior citizens -- any housing activity not directed towards that obligation is inappropriate at this time.

Janet Switzer, director, Switzer Center: There are problems in this community which must be fixed -- there are slum areas which should be attended to, and the caring for people aspect must be maintained.

Betty Schapira, 4610 Avenue C, representing the California Association for the Physically Handicapped: Supports the plan for development of new housing on small, scattered sites, or selected larger sites preferably, together with an inclusionary requirement for each future housing development.

Donna Quartz: Supports low cost housing in Torrance -- a plan superior to HUD's program has not been presented by the opponents of such housing.

Georgeanna Ray, 23125 Adolph Avenue: Torrance voters do not want HUD in Torrance; they do not want Federal housing.

Polly Watts, 4825 Paseo de las Tortugas: There are many people here in Torrance who need help in housing; the Council should take the initiative in assisting this need and to do what is best for the entire community.

Bill Bolt, California Association of the Physically Handicapped: The recommendation of Staff is completely unsatisfactory -- it does not meet the needs of the community.

George Popjohn, 4013 Merrill Street: Would prefer to work hard to own his own home -- HUD development would not result in the same pride.

George McCoy, director, Torrance Children's Center, 4120 West 185th Street: Pointed out the needs of single parents who need child care -- would urge that the Council provide some type of housing for low income people.

Pat Tyrrell, 19935 Redbeam: Expressed appreciation to the four Councilmembers who through their open-mindedness have kept open this issue -- this has made it possible to hope that the City of Torrance can take a positive approach to affordable housing. Mrs. Tyrrell supports the Staff recommendation.

Randy Limbard, 2321 Carson Street: Reviewed the impact on senior citizen housing if HUD funding is rejected.

John Popjohn, 4013 Merrill Street: "Let's kick HUD out" -- that's the answer.

Tom Ritschie, 22920 Carlow Road: A constructive solution is needed-- Step #1 needs to be taken; the problems simply will not "go away".

Ed Greene, 3205 Onrado, Madrona Homeowners Association: The proposed housing should not be provided at the expense or detriment of people who have lived in their homes for a number of years.

Marilyn Russell, 2424 Border Avenue: HUD is not needed in Torrance.

Roger Miller, 20326 Amie Avenue: The Council has an obligation to all the community, not just those in attendance at this meeting.

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

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The hour being 10:40 P.M., a 10-minute recess was ordered by Mayor Armstrong.

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On resumption of the meeting, comments of Councilmembers were as follows:

Councilman Rossberg: Favors the provision of housing for those who cannot help themselves -- senior citizens and the handicapped.--Suggested that HUD money be put to work in CETA program which would permit people to earn their way. "I just don't feel that we have a free lunch in this country, and we are doing too many things at the Federal level that is going to squeeze us all to the point where we are all going to be brought down to the same level."

Councilman Brown: Has supported the position of providing affordable housing for low and moderate income families, as well as for senior citizens and the handicapped -- his position on that remains the same. The Council has a

responsibility, even apart from HUD, to deal with the housing problem. It is on that basis -- not on threats of the cut-off of funds, litigation by HUD, etc. -- that this City should exercise its responsibility to provide housing for low and moderate income seniors, handicapped and families. The plan presented this date represents a compromise in many respects and offers a conservative approach to the issue.

Councilman Walker: The Council has an obligation to those Torrance residents who have worked hard to have the opportunity of living in Torrance -- an obligation to help preserve the type of community that they live in. He is opposed to the imposition of low and moderate income family housing in Torrance; further, is opposed to Staff recommendation for low and moderate income family housing being placed in the Downtown area. The best thing that could happen for the revitalization of the Downtown area would be demolition of a number of the existing hotels. Mr. Walker will vote in opposition to the Staff recommendation -- he is completely opposed to the imposition on the community of something that they do not want.

Councilman Wilson: Will maintain his past position, based on the critical need for low and moderate income family housing. This will present a deserved opportunity for these people to move ahead -- as others have done via the GI Bill, etc. Political responsibility is to all citizens of Torrance, and it is necessary to keep good faith with the Federal government to follow through on commitments made, along with the legal aspects of the entire matter. Financial impacts were also reviewed by Dr. Wilson. He will support Staff's recommendation.

Councilwoman Geissert: This Council was not elected to make national policy, with acknowledgment of the many frustrations of all in this regard, but, instead, must survey the problems of the community and seek available tools for solutions to same. The Council would be remiss in not seeking available Federal monies to assist in relieving these problems. It has been generally acknowledged that there is a housing problem in Torrance; the rental situation is most depressing. The positive accomplishments, since 1974, with Community Development funds were noted by Mrs. Geissert; this funding should not be put in jeopardy. The limited number of units that could be worked out by way of the Staff recommendation would be an asset to the community. However, Mrs. Geissert would not favor construction of apartment buildings in R-1 neighborhoods, and questioned the advisability of rehabilitating the old hotels in Downtown Torrance for family housing. Possible legal complications were also reviewed by Mrs. Geissert. This is an opportunity to make a positive contribution to the community by providing decent rental housing -- she will support, with certain reservations, the basic Staff recommendation.

Councilman Applegate: The underlying issue in this matter is the fact that the City of Torrance could be sued by the Justice Department and forced to put in low cost family housing. This Council has always stressed "local control"; the subject matter is the biggest threat to local control that has ever happened in the history of the City of Torrance. Mr. Applegate then discussed HUD requirements for low cost housing, stating that the hard working citizens of Torrance (mostly couples) who are striving to maintain a home in this desirable community do not want someone coming in, getting something for nothing, to live next door to them. There should be incentives provided, rather than handing out money to pay the rent, which would induce the needy to go out and better themselves so they can take care of themselves. If this housing goes forward in Torrance, we have given up local control, but if we stand up for our rights and our local control, then we can go through the proper channels -- "the worst that can happen is we will go to court, and if we lose, then we'll build it, but at least we went down fighting."

Mayor Armstrong: Would support legislation which would leave tax money at its source with decisions as to its use to be made at that point, but the fact of the matter is that there is no such legislation and there is nothing on the horizon. So one of the few direct opportunities for the people of this City to have their tax monies returned to them is in this not-new program. The many meetings, and input therefrom, were related by the Mayor, and, in his opinion, it is necessary to offer a program which attempts to meet the housing needs of all the segments of our community. He does not want to invite legal action against the people of the City; reasonable and responsible steps can be taken, with dignity, and we should do that.

Formal action taken by the Council is reflected below:

MOTION: Councilman Brown moved to concur with Staff recommendations A, B, C and D, and to add E, to take care of the technical problem mentioned earlier about the effect of the moratorium -- Condition E would be to the extent that A, B, C and D are inconsistent with the moratorium, the moratorium is being repealed to that extent.

The motion was seconded by Councilman Wilson.

Prior to roll call vote, a SUBSTITUTE MOTION was offered by Councilman Applegate to submit a plan to HUD that would be made up of a Joint Powers type arrangement. This motion was seconded by Councilman Walker, but FAILED TO CARRY as indicated below:

AYES: COUNCILMEMBERS: Applegate, Rossberg and Walker
 NOES: COUNCILMEMBERS: Brown, Geissert, Wilson and
 Mayor Armstrong

Roll call on the MAIN MOTION was as follows:

AYES: COUNCILMEMBERS: Brown, Geissert, Wilson and
 Mayor Armstrong
 NOES: COUNCILMEMBERS: Applegate, Rossberg and Walker

Councilman Wilson then MOVED to accept Alternative Budget #1, to coincide with rehabilitation and replacement. His motion, seconded by Mayor Armstrong, carried as shown below:

AYES: COUNCILMEMBERS: Brown, Geissert, Wilson and
 Mayor Armstrong
 NOES: COUNCILMEMBERS: Applegate, Rossberg and Walker

* * * * *

(Considered, out of order:)

- 15e. CUP 76-61, Chien Sze (Joseph Corso): Appeal of Planning Commission denial of a request for a modification of a Conditional Use Permit to extend hours of operation in the C-3 zone at 3800 Pacific Coast Highway. PLANNING COMMISSION AND PLANNING DEPARTMENT RECOMMEND DENIAL OF APPEAL.

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

Mayor Armstrong announced that this was the time and place for the subject public hearing, and inquired if anyone wished to be heard.

The proponent, Ms. Chien Sze, stated that her attorney, Michael Stetson, is presently in the hospital and requested deferment of this matter until Mr. Stetson is available.

Mr. Jack Brown, 111 Via Monte d'Oro, indicated concurrence with continuance so long as the conditions of the Conditional Use Permit are enforced.

Following Council discussion, and further input by Mr. Brown, he agreed to permit the evening parking arrangement in this interim period, just so long as the serving of lunch was discontinued.

MOTION: Councilman Applegate moved to continue 15e., CUP 76-61, to August 26, 1980, at 7:30 P.M., subject to concurrence by the proponent to close their establishment for lunch and only be open during evening hours, commencing after 6:00 P.M. -- if that is not acceptable to the proponent, then the Conditional Use Permit is to be enforced. The motion was seconded by Councilman Rossberg, and roll call vote was unanimously favorable.

It was the direction of Mayor Armstrong that Planning Staff provide clarification to the proponent of the above action taken by the Council.

The Council now returned to:

- 15b. V 69-8, CONNOR EVERTS. Request for approval of modification of a previously approved Variance to allow residential use, setback waivers and an over-height fence in the R-3 zone at 2351 Sonoma Street. PLANNING COMMISSION AND PLANNING DEPARTMENT RECOMMEND APPROVAL.

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

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Mayor Armstrong announced that this was the time and place for the subject public hearing, and inquired if anyone wished to be heard.

The proponent, Mr. Connor Everts, was present to provide any desired clarification. Also present were neighbors in support of his request.

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

MOTION: Councilman Walker moved to concur with the recommendation of the Planning Commission and Planning Department for approval of modification of V 69-8. Motion was by Councilwoman Geissert, and roll call vote was unanimously favorable.

15d. PP 80-11, FRANK AND LINDA GRESIK. Appeal of Planning Commission approval of a Precise Plan of Development to allow the construction of a second-story addition to an existing single-family residence in the R-1 zone at 537 Paseo de las Estrellas. PLANNING COMMISSION RECOMMENDS DENIAL OF APPEAL, PLANNING DEPARTMENT RECOMMENDS APPROVAL.

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

Mayor Armstrong announced that this was the time and place for the subject public hearing, and inquired if anyone wished to be heard.

Representing the Oropesas, Mr. Donald Lescoulie, 120 Via la Circula, reviewed the severe impact of the proposed addition to the Oropesa's house, noting that it is not in compliance with hillside guidelines and that there are alternative plans which could be used.

The proponent, Mr. Frank Gresik, outlined the critical need for expansion of their home and detailed the extensive efforts put forth to arrive at a compatible arrangement for the neighborhood.

Mr. George Brewster, 443 Calle de Castellana, stated that he is not opposed to an addition at the subject property but is opposed to the addition as presented. Hillside Ordinance requirements were reviewed by Mr. Brewster -- re: substantial view blockage, height restrictions on downhill lots, etc. The precedent-setting aspect of this situation was also pointed out by Mr. Brewster -- further, the silhouette in this case

does not adequately reflect the bulk, the density and the mass of 1400 square feet placed on the second story level of a 2200 square foot house. The Planning Commission, in Mr. Brewster's opinion, did not fully investigate the feasibility of alternative propositions -- a satisfactory compromise for all should be sought; the application as presented does not represent a compromise of any sort.

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

MOTION: Councilman Rossberg moved to grant the appeal and for DENIAL of PP 80-11. The motion was seconded by Councilman Walker, and roll call vote was unanimously favorable.

MOTION: Councilman Rossberg moved to refer this matter back to the Planning Commission, with a waiver of fees. The motion was seconded by Councilman Brown. There were no objections, and it was so ordered.

At this time, Councilwoman Geissert requested that there be a reexamination of City policy re: City-owned trees.

* * * * *

15f. CALIFORNIA WATER SERVICE COMPANY FRANCHISE,RECOMMENDATION OF CITY MANAGER:

That your Honorable Body reconsider the fee formula, and, following the public hearing, concur in the awarding of the proposed franchise to California Water Service Company, and adopt Ordinance "A".

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

Mayor Armstrong announced that this was the time and place for the subject public hearing, and inquired if anyone wished to be heard in this matter. There was no response.

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

At the request of Councilman Brown, Chief Assistant to the City Manager Jackson reviewed the compromise franchise concept.

MOTION: Councilman Brown moved that the Council not reconsider the formula and adhere to the original formula. The motion was seconded by Councilman Applegate, but FAILED TO CARRY, with roll call vote as follows:

AYES: COUNCILMEMBERS: Applegate, Brown, Wilson.
NOES: COUNCILMEMBERS: Geissert, Rossberg, Walker;
Mayor Armstrong.

MOTION: Councilman Rossberg moved to concur with the above stated recommendation of the City Manager. The motion was seconded by Councilwoman Geissert, and carried, with roll call vote as follows:

AYES: COUNCILMEMBERS: Geissert, Rossberg, Walker;
Mayor Armstrong.
NOES: COUNCILMEMBERS: Applegate, Brown, Wilson.

At the request of Mayor Armstrong, City Clerk Nelson assigned a number and read title to Ordinance "A":

ORDINANCE NO. 2966

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF TORRANCE GRANTING TO CALIFORNIA
WATER SERVICE COMPANY, A CALIFORNIA
CORPORATION, A FRANCHISE TO CONSTRUCT,

17.

City Council
July 8, 1980

LAY, OPERATE AND MAINTAIN WATER PIPE
LINES IN THE CITY OF TORRANCE

Councilman Rossberg moved for the approval of Ordinance No. 2966 at its first reading. His motion was seconded by Councilman Walker, and carried, with roll call vote as follows:

AYES: COUNCILMEMBERS: Geissert, Rossberg, Walker;
Mayor Armstrong.
NOES: COUNCILMEMBERS: Applegate, Brown, Wilson.

* * * * *

22. ORAL COMMUNICATIONS:

22a. Mrs. Pat Tyrrell, 19935 Redbeam Avenue, expressed appreciation for Sunnyglen Park -- it is attractive; it is functional, and greatly enjoyed by all its users.

22b. Councilman Applegate requested that some action be taken relative to the showers and lunch room in the Garage area.

22c. Councilman Rossberg commended the efforts of Messrs. Rupert and Dundore re: the Police Facility bond, noting the TPOA ad regarding this Facility and requesting a report from the City Manager regarding comments made therein.

22d. Mayor Armstrong commended the efforts of Planning Associate Progen in the presentation of Item 15a on Housing this date.

* * * * *

At 12:50 A.M., the Council recessed and reconvened as the Redevelopment Agency. Agency business was concluded at 12:51 A.M. at which time a joint Council/Agency Executive Session was held.

The Agency/Council returned at 1:30 A.M.

Council action was as follows:

18.

City Council
July 8, 1980

MOTION: Councilman Wilson moved to authorize the City Attorney to settle Olley vs. the City of Torrance for \$8,500.00. The motion was seconded by Councilman Walker, and roll call vote was unanimously favorable.

* * * * *

Adjournment for both the City Council and the Redevelopment Agency was at 1:31 A.M.

* * * * *

Ava Cripe
Minute Secretary

19.

City Council
July 8, 1980

Sherie L. Nelson

City Clerk of the City of Torrance

James R. Armstrong

Mayor of the City of Torrance