

I N D E X

City Council - November 3, 1981

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Ava Cripe
Minute Secretary

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

The Torrance City Council convened in a Regular Meeting on Tuesday, November 3, 1981, at 5:30 P.M. in the Council Chambers at Torrance City Hall.

2. ROLL CALL:

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

Absent: None.

Also present: City Manager Ferraro and Staff representatives.

3. FLAG SALUTE:

Mayor Armstrong led in the salute to the flag.

4. INVOCATION:

The invocation was provided by Dr. Albert Hoagland, First Christian Church, Disciples of Christ.

STANDARD MOTIONS:5. APPROVAL OF MINUTES:

None available.

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

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the right to demand the reading of any such resolution or ordinance in regular order. The motion was seconded by Councilman Brown, and roll call vote was unanimously favorable.

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Mayor Armstrong, with deep regret, announced the passing of long time resident, Ms. Roxie Sleeth, and directed that this meeting be adjourned in her memory.

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8. COMMUNITY MATTERS:

8a. PROCLAMATION - "Toys for Tots Month" - November 2nd to December 4th, 1981.

8b. PROCLAMATION - "Youth Appreciation Week" - second week of November, 1981.

So proclaimed by Mayor Armstrong.

Considered by the Council at this time:

21. ADDENDUM ITEM:

21a. CORRECTION OF OMISSIONS IN HILLSIDE ORDINANCE.

ORDINANCE NO. 3027

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING SECTION 91.41.9 OF THE TORRANCE MUNICIPAL CODE RELATING TO GUIDELINES FOR REVIEW OF HILLSIDE AND COASTAL ZONE PROPERTIES AND DECLARING THE PRESENCE OF AN EMERGENCY

MOTION: Councilman Brown moved for the adoption of Emergency Ordinance No. 3027 at its first and only reading. His motion was seconded by Councilman Applegate, and carried, with roll call vote as follows:

AYES: COUNCILMEMBERS: Applegate, Brown, Geissert,
Walker, Wilson; Mayor Armstrong.
NOES: COUNCILMEMBERS: None.
ABSTAIN: COUNCILMEMBERS: Rossberg.

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17. ADMINISTRATIVE MATTERS:17d. EXECUTIVE SESSION re: Litigation.

At 5:20 P.M. the Council recessed for the subject Executive Session, returning at 6:15 P.M. No action was taken, and the regular agenda order was resumed.

9. LIBRARY/PARK AND RECREATION MATTERS:9a. DONATION FROM DOG OBEDIENCE CLUB.

RECOMMENDATION OF PARK AND RECREATION COMMISSION/
PARK AND RECREATION DEPARTMENT: That your Honorable Body accept the donation of \$400 from the Dog Obedience Club of Torrance, acknowledge the generosity of this gift, and appropriate same for purposes intended.

MOTION: Councilman Applegate moved to concur with the above stated recommendation. His motion, seconded by Councilman Rossberg, was unanimously approved by roll call vote.

9b. RESOLUTION re: Agreement with Torrance Area Youth Band, Inc.RESOLUTION NO. 81-240

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 BY AND BETWEEN THE CITY OF TORRANCE AND THE TORRANCE AREA YOUTH BAND, INC., FOR THE FISCAL YEAR 1981-82

Councilman Wilson moved for the adoption of Resolution No. 81-240. His motion was seconded by Councilwoman Geissert; roll call vote was unanimously favorable.

10. TRANSPORTATION/PUBLIC WORKS MATTERS:10a. RESOLUTION re: Extension of Dial-A-Lift Agreement with Redondo Beach and Lomita.RESOLUTION NO. 81-241

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING THE MAYOR

TO EXECUTE AN AMENDMENT EXTENDING THE
DIAL-A-LIFT SERVICE AGREEMENT WITH
REDONDO BEACH AND LOMITA FOR ONE YEAR

Councilwoman Geissert moved for the adoption of Resolution No. 81-241. Her motion, seconded by Councilman Applegate, was unanimously approved by roll call vote.

- 10b. CHANGE ORDER for Improvement of the Southwest Quadrant of the Torrance Municipal Airport Project.

RECOMMENDATION OF ENGINEERING DEPARTMENT/DEPARTMENT OF TRANSPORTATION: That a Change Order be issued to McGrew Construction Company to provide for the additional excavation and recompaction of disturbed soil from Airport Drive to the northerly limits of grading for the Southwest Quadrant Improvement at the Torrance Municipal Airport.

Councilman Brown moved to concur with the above stated Staff recommendation. His motion was seconded by Councilman Applegate; roll call vote was unanimously favorable.

14. PERSONNEL MATTERS:

- 14a. ORDINANCE re Modification of Civil Service Rules pertaining to Reinstatement of Probationers to Eligible Lists.

ORDINANCE NO. 3028

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF TORRANCE ADDING SECTION 14.23.3
OF THE TORRANCE MUNICIPAL CODE TO PROVIDE
THAT PROBATIONERS MAY BE REINSTATED TO
EMPLOYMENT LISTS UPON TERMINATION WITHOUT
FAULT

Councilman Wilson moved for the approval of Ordinance No. 3027 at its first reading. His motion was seconded by Councilwoman Geissert, and roll call vote was unanimously favorable.

15. PUBLIC HEARINGS:

- 15a. ADMINISTRATIVE APPEAL to consider Precise Plan of Development (PP 80-38) for Ponderosa Homes to allow construction of 40 single-family residences in the R-1 zone at 25600 Crenshaw Boulevard.

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, following Staff presentation by Planning Associate Woodward, invited comments from the audience.

Attorney Marlene Fox, representing the proponent, reaffirmed objections to this proceeding, per November 2, 1981 Letter of Objection, of record. Ms. Fox also protested the fact that the grounds of the appeal are unknown to the proponent; the absence of Staff and Agenda material, permitting no review by the proponent; and the overall lack of input and notification in this matter.

At City Attorney Remelmeyer's question as to whether or not the proponent would consent to waiving the one-year provision of the State law were the Council to grant the request to reschedule the hearing at a later time -- Ms. Fox responded that her client would not waive any rights; her client did not put himself in this position voluntarily but was placed thusly against his will. Ms. Fox then advised that they were able to provide a full blown presentation on this matter, as was done before the Planning Commission, at this time. City Attorney Remelmeyer deemed this the appropriate manner in which to proceed.

It was then the request of Mayor Armstrong that this matter be held for a short period of time in order to dispense with routine agenda items. Ms. Fox concurred with this request. Mayor Armstrong thereupon recessed the subject public hearing, the hour being 7:05 P.M.

(Hearing resumed on Page 9.)

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17. ADMINISTRATIVE MATTERS:17a. GENERAL MUNICIPAL ELECTION - March 2, 1982.RECOMMENDATION

It is the recommendation of the City Clerk that:

1. Precincts for the General Municipal Election be consolidated to a two-to-one ratio, with a few exceptions;
2. The City pay the following fees to election officers and polling place owners: \$35.00 for Inspectors, \$30.00 for Judges and Clerks, \$25.00 for polling places and \$15.00 for custodians;
3. The City Council authorize the use of the automatic voting devices for the 1982 Election, as provided by Diamond International Corporation;
4. The polls be open from 7 a.m. to 8 p.m.;
5. The City Council authorize the self-mailer sample ballot and voter information pamphlet and to not provide the "other materials" mailing.
6. In the event of City measures, the City Council approve an English-only voter information pamphlet with a statement declaring all information contained will be mailed upon request in Spanish; and
7. The City Council take no action to increase the limitation of words for the candidates' statements of qualifications from 200 to 400 words, but authorize a candidate who files a statement of qualifications at the 1982 General Municipal Election be required to pay a proportionate sum of the cost of printing, but not to exceed \$300.00.

MOTION: Councilman Rossberg moved to concur with the above stated recommendation of the City Clerk. His motion was seconded by Councilman Walker, and roll call vote was unanimously favorable.

17b. REQUEST FROM URBAN WEST COMMUNITIES for Modification of Ground Lease Agreement.

Councilmen Applegate and Rossberg indicated reservations pertaining to the requested rent decrease; the original terms of the lease were also reviewed as were the terms now proposed.

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Mr. Stephen Gunther, Executive Vice President, Urban West, was present to elaborate on his request and to note that the request was based on the present chaotic money market.

It was the ultimate consensus of the Council that this matter be held for one week to permit further input and clarification by Staff. There were no objections, and it was so ordered.

- 17c. RESOLUTION re: License Agreement with Quodata Data Management System.

RESOLUTION NO. 81-242

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE APPROVING A SHORT-TERM AGREEMENT WITH QUODATA DATA MANAGEMENT CORPORATION AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE SUCH AGREEMENT FOR PROVISION OF DATA PROCESSING SOFTWARE AND APPROPRIATING \$5700.00 FOR SUCH AGREEMENT

Councilwoman Geissert moved for the adoption of Resolution No. 81-242. Her motion was seconded by Councilman Walker; roll call vote was unanimously favorable.

- 17d. EXECUTIVE SESSION re: Litigation.

See Pages 3 and 13.

18. SECOND READING ORDINANCES:

- 18a. ORDINANCE NO. 3026.

ORDINANCE NO. 3026

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, AMENDING DIVISION 9 OF THE TORRANCE MUNICIPAL CODE TO RECLASSIFY THAT CERTAIN PROPERTY WHICH IS LOCATED IMMEDIATELY TO THE NORTH OF 17625 CRENSHAW BOULEVARD FROM R-2 TO A-1 AND DESCRIBED IN ZONE CHANGE CASE 80-14 - LENORE C. TAYLOR

Councilman Wilson moved for the adoption of Ordinance No. 3026 at its second and final reading. His motion was seconded by Councilman Walker, and carried, as follows:

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AYES: COUNCILMEMBERS: Geissert, Rossberg, Walker, Wilson;
Mayor Armstrong.
NOES: COUNCILMEMBERS: None.
ABSTAIN: COUNCILMEMBERS: Applegate, Brown (not present at
first reading)

20. CONSENT CALENDAR:

20a. LEASE OF TWO ADMINISTRATIVE CARS:

Ref. Bid #B81-74 Expenditure: \$29,321.72 (Amount to be offset by the sale of existing two administrative vehicles at an expected \$10,000.)

RECOMMENDATION OF FINANCE DIRECTOR/PURCHASING SUPERVISOR:
That Council take the following actions:

1. Accept the low bid submitted by Bay Buick of Torrance for the two required Administrative vehicles in order to use these figures as a base price for leasing, and authorize Staff to enter into a 3-year lease agreement with Bay Buick utilizing the GMAC vehicle leasing program at its present favorable financing interest rate of 12.9%.
2. Upon receipt of the two new administrative vehicles authorize Staff to dispose of the existing two administrative vehicles utilizing the established "sealed bid" process. (Staff will return to Council with the details of the sale for approval.)

FUNDING: Funding for these vehicles will be from the City's Equipment Revolving Fund.

20b. AWARD OF CONTRACT - Purchase of Hersey 8" Water Meter.
Expenditure: \$6,372.72. (Reimbursable - Funds have already been received for this purchase.)

RECOMMENDATION OF PURCHASING AGENT/BUYER:

That your Honorable Body authorize the award of a contract for the required water meter to the Hersey Products, Inc. of Los Angeles in the total amount of \$6,372.72, including tax.

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

Considered separately:

20c. AWARD OF CONTRACT - Purchase of Street Light Fixtures.
Ref. Bid #81-82. Expenditure: \$14,603.62

RECOMMENDATION OF PURCHASING AGENT/BUYER:

That your Honorable Body allow Associated of Los Angeles to withdraw their bid and authorize the award of the contract for the required lighting fixtures to Crown Wholesale Electric Company of Los Angeles in the total amount of \$14,603.62, including tax.

Councilman Rossberg reviewed the circumstances of the bid withdrawal by Associated of Los Angeles -- in his opinion, when companies price items and bid accordingly, that is part of "doing business," and withdrawal by a low bidder is a "bad thing." It was the request of Mr. Rossberg that the Purchasing Department put this company on a "probation list," to make sure that when they again bid, they will have to supply accordingly. There were no objections, and it was so ordered.

MOTION: Councilman Brown moved to concur with the Staff recommendation on agenda item 20c. His motion, seconded by Councilman Applegate, was unanimously approved by roll call vote.

The Council now returned to:

15. PUBLIC HEARINGS: (Continued from Page 5.)

15a. ADMINISTRATIVE APPEAL to consider Precise Plan of Development (PP 80-38) for Ponderosa Homes to allow the construction of 40 single-family residences in the R-1 zone at 25600 Crenshaw Boulevard.

The public hearing on this item was resumed at this time, the hour being 7:30 P.M.

It was stated by Councilman Brown, who instigated the Administrative Appeal, that the basis of his appeal was quite simple: it is the question of whether the proposed Precise Plan contemplates a project that will have a substantial impairment on the views of existing residences surrounding the property.

Mayor Armstrong then invited comments from the audience, and speakers were as follows:

Representing Ponderosa Homes, Messrs. George Putnam and Dick Munsell provided input and desired clarification regarding the proposed development and described changes which were deemed minor by them. Material used in these presentations were submitted as part of the official record in this case.

The following speaker indicated concern related to the project: Mr. Bill Lado, 2425 Faircross, representing residents in "Area C", reviewed the slope problems at this location, the ^{need for} establishment of responsibility, and recommended that there be an agreement indicating that the proponent would be responsible for any damages which might result from these slope problems.

Other speakers were: Mr. Clarence Nichols, 25618 Crenshaw Boulevard, who reiterated comments made at the Environmental Review Board and Planning Commission meetings regarding view blockage to his residence (also speaking for Ms. Annie Beck, 25710 Crest Road) -- concerns regarding view blockage, property values and slope slippage were expressed by Mr. Doug Silvers, 25706 Crest Road; Mr. Leonard Paregon (?), 25730 Crest Road. Mr. Dave Lewis, 2517 Nearcliff Street, pointed out the positive progress that has been made with this developer.

There being no one else present 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.

Council discussion ensued.

It was the opinion of Councilman Walker that it would be unreasonable to, as a blanket, set forth a single-floor designation on all the lots -- he would support the Planning Commission recommendation, with the addition of single-story structures on Lots 27 and 28. Councilman Walker SO MOVED; the motion was seconded by Councilman Wilson.

Councilman Brown felt there was still some uncertainty in this matter -- there is serious, substantial, adverse view blockage which has not been mitigated by the proponent -- there is aggravation of those impacts in the proposition of large two-story homes in different configurations from those originally proposed.

Continuing, Mr. Brown commented that the information provided does not enable the Council to distinguish with any certainty lots with no view blockage from the rest of the development; the developer has changed lot configurations, pad elevations and two-story housing sizes since the original Precise Plan was submitted and as reviewed in the EIR process; and, in his opinion, a silhouette would have been most helpful. Further, per Mr. Brown, the development will have a substantial adverse impact on the environment unless a condition is imposed on the Precise Plan to limit houses to one story in height; since that is not the Precise Plan before the Council, Councilman Brown offered the following SUBSTITUTE MOTION: To DENY PP 80-38 WITHOUT PREJUDICE; the developer can then respond to that with whatever action he would deem appropriate. The substitute motion was seconded by Councilman Applegate.

Support for the substitute motion was indicated by Councilman Rossberg, who concurred that the silhouettes would have been helpful, that there should be several one-story homes; denial without prejudice will permit the proponent to return and communicate with appropriate parties; and by Councilman Applegate who agreed that there will be substantial view impacts on the present residential area and that the concerns are many and real.

Councilwoman Geissert likewise concurred with the substitute motion -- the plans which have been submitted would definitely diminish the value of most of the homes on the level above the proposed project -- it would be totally insensitive to approve plans that would have such an adverse impact on the views of existing homes. Mrs. Geissert also pointed out the imperative need to solve the problem of the unstable slope.

The SUBSTITUTE MOTION CARRIED, with roll call vote as follows:

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

Deputy City Attorney Scudder pointed out that should the proponent not desire to redesign, a resolution setting forth the findings of the denial should be adopted.

The following action was thereupon taken by the Council:

MOTION: Councilman Applegate moved that the Council concur in reasons for denial stated by Councilmembers on the prevailing side. The motion was seconded by Councilman Brown. There were no objections, and it was so ordered.

MOTION: Councilman Brown moved that the City Attorney be directed to prepare a resolution incorporating the findings of the affirmative side of the motion; that resolution shall serve as the action of the Council, with the Mayor authorized to execute, and the City Clerk to attest same. The motion was seconded by Councilman Applegate, and roll call vote was unanimously favorable.

(The following resolution was formally prepared for incorporation in the record of this meeting:)

RESOLUTION NO. 81-243

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, DENYING A PRECISE PLAN OF DEVELOPMENT AS PROVIDED FOR IN DIVISION 9, CHAPTER 6, ARTICLE 2 OF THE TORRANCE MUNICIPAL CODE TO ALLOW THE CONSTRUCTION OF 40 SINGLE-FAMILY RESIDENCES IN THE HILLSIDE OVERLAY DISTRICT IN THE R-1 ZONE ON PROPERTY LOCATED AT 25600 CRENSHAW BOULEVARD PP 80-38, PONDEROSA HOMES

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The hour being 8:40 P.M. the Council recessed and reconvened as the Redevelopment Agency, returning to its agenda at 8:42 P.M.

11.

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22. ORAL COMMUNICATIONS:

22a. City Manager Ferraro distributed and reviewed recent communication from Mr. Don Wilson, Jr. re: an industrial use on the sump at 235th and Crenshaw.

Following discussion, it was the consensus that such consideration would be premature and inappropriate, in view of pending Council Committee review of the Sump Policy; further, that the lease option would be preferred to the sell option, and that the public process ought to be used rather than narrowing the options.

22b. Councilman Applegate requested Staff analysis regarding communications from Ms. Dolores Watson and from the Operations Manager at Industrial Dynamics.

22c. Councilman Applegate announced that the YMCA "Good Neighbor" breakfast will be held on Sunday, November 15th.

22d. Councilman Walker noted communication from Fine Arts Commission chairman Vogl outlining his desire to edit Commission minutes prior to their publication and his statement that: "I believe I am more qualified for this task than any Minute Secretary on your Staff...." Mr. Walker then expressed his substantial disapproval of this attitude.

22e. Mayor Armstrong advised that Lieutenant Governor Mike Curb will be in attendance at the Torrance Rotary Club meeting on November 4th.

22f. Mayor Armstrong noted the recent passing of a Mrs. Torrance and requested Staff investigation as to whether or not she might have been related to Jared Sidney Torrance.

22g. Mr. Bob Billett, 5510 Laurette Street, representing the Southwood Homeowners Association, reported action taken at their general meeting on November 2nd: in view of the published intent of Councilman Brown not to seek reelection to the City Council, it is respectfully requested that "he remove himself from the office of Torrance City Council and refrain from further votes on matters pertaining to the City of Torrance." It was added by Mr. Billett that the foregoing position is a matter of principle only.

Mayor Armstrong advised that this matter has been referred to the City Attorney for a legal opinion.

22h. Councilman Rossberg commended the tremendous contributions made by Councilman Brown during his tenure on the City Council; his departure will represent a substantial loss to the government of Torrance. The Council unanimously concurred in this expression of praise and regret. Councilman Brown

conveyed his gratitude for these kind thoughts, noting that he had initiated the request to the City Attorney for a ruling in this matter.

22i. Ms. Margaret Lauer, 2822 West 178th Street, reviewed problems involving a neighboring wall (correspondence and Staff report, of record). Staff was directed to provide further clarification directly to Mr. and Mrs. Lauer.

Mr. Edward Hudkovick, property owner on the east side of subject wall, commented on original considerations of the wall at a Planning Commission meeting in July, 1980 where a 6-ft. wall was approved. Staff will likewise confer with this speaker.

17a. EXECUTIVE SESSION: (Continued from Page 3)

At 9:10 P.M. the Council recessed for an Executive Session re: Litigation, returning at 10:00 P.M. No action was taken.

The meeting was regularly adjourned at 10:00 P.M. -- adjournment was in memory of Ms. Roxie Sleeth.

* * * * *

Ava Cripe
Minute Secretary

13.

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James R. Armstrong

Mayor of the City of Torrance

ATTEST:

Sherril L. Nelson

City Clerk of the City of Torrance