

I N D E X

City Council - February 23, 1982

<u>SUBJECT:</u>	<u>PAGE</u>
<u>OPENING CEREMONIES:</u>	
1. Call to Order	1
2. Roll Call	1
3. Flag Salute	1
4. Invocation	
<u>STANDARD MOTIONS:</u>	
5. Approval of Minutes	1
6. Motion to Waive Further Reading	1
7. Council Committee Meetings	2
<u>9. PARK AND RECREATION MATTERS:</u>	
9a. Acceptance of Donations	2
<u>14. PERSONNEL MATTERS:</u>	
14a. Appeal of James Johnson, Dismissed Bus Operator	2
<u>15. HEARINGS:</u>	
15a. GPA 81-1, ZC 81-1, TT 42478 & PP 81-4 (EA 81-8), Torrance Investment Company (Park Del Amo)	3-13
<u>17. ADMINISTRATIVE MATTERS:</u>	
17a. Resolution re: Canvass of Returns for 1982 General Municipal Election	14
17b. Resolution re: S.B. 1336	14
17c. Executive Session	18
<u>18. SECOND READING ORDINANCES:</u>	
18a. Ordinance No. 3035	14
18b. Ordinance No. 3034	15,16
<u>20. CONSENT CALENDAR:</u>	
20a. Award of Contract re: Office Furniture for City Prosecutor's Office	17
<u>21. ADDENDUM ITEM:</u>	
21a. Award of Lease Purchase Contract for Financing Telephone System	17
<u>22. ORAL COMMUNICATIONS:</u>	
22a. City Manager Ferraro re: City Treasure Rupert's successful surgery	17
22b. City Attorney Remelmeyer, appreciation to Councilman Brown	17
22c. Council/Mayor, expressions of appreciation and good wishes to Councilman Brown	18
22d. Councilman Rossberg re: Energy Fair	18
22e. Councilman Walker re: Kashiwa delegation	18

* * * * *

Ava Cripe
Minute SecretaryCity Council
February 23, 1982

February 23, 1982

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, February 23, 1982, at 7:00 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:

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

4. INVOCATION:

The invocation was provided by Rabbi Leon M. Kahane, Temple Menorah.

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 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.

1. City Council
February 23, 1982

7. COUNCIL COMMITTEE MEETINGS:

Citizens Development:
February 24th at 4:00 P.M.

9. LIBRARY/PARK AND RECREATION MATTERS:9a. ACCEPTANCE OF DONATIONS:

Mobil Oil - \$95 check for Christmas programs
on park
Garrett AiResearch - \$100 check for the
Aquacade
Robert Dziak - a reel-to-reel tape deck
Betty Rogers - \$25 for a tree for a City park.

RECOMMENDATION OF DIRECTOR OF PARKS AND RECREATION/
PARKS AND RECREATION COMMISSION: That your Honorable
Body accept these generous donations and direct Staff
to prepare the appropriate recognition. In addition,
Staff would ask that your acceptance include the
appropriation of the money to appropriate Department
accounts.

Councilman Wilson MOVED to concur with the above recommendation,
the motion was seconded by Councilman Walker, and unanimously approved.

14. PERSONNEL MATTERS:14a. APPEAL OF JAMES JOHNSON, DISMISSED BUS OPERATOR.

RECOMMENDATION OF CIVIL SERVICE ADMINISTRATOR:
That this hearing be set for 5:30 P.M., Tuesday,
March 16, 1982.

MOTION: Councilman Applegate moved to concur with the
above stated Staff recommendation. His motion was seconded
by Councilman Wilson, and roll call vote was unanimously
favorable.

* * * * *

15. HEARINGS:

- 15a. GPA 81-1, ZC 81-1, TT 42478 & PP 81-4 (EA 81-8), TORRANCE INVESTMENT COMPANY (PARK DEL AMO):
 Consideration of Torrance Investment Company's request for conceptual approval of a Development Plan for the Santa Fe property (including the Madrona Marsh). THE PLANNING COMMISSION RECOMMENDS DENIAL OF THE APPLICATION WITHOUT PREJUDICE. THE PARK DEL AMO EXECUTIVE TASK FORCE (STAFF) RECOMMENDS APPROVAL OF THE APPLICANT'S REQUEST WITH CONDITIONS.

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.

Staff presentations were provided by Acting Planning Director Ferren, City Engineer Bourbonnais, Parks and Recreation Director Barnett and Director of Transportation Horkey.

Mayor Armstrong then outlined procedures to be followed, and invited comments from the audience, starting with the proponent.

Mr. Ray Watt, 21880 Hawthorne Boulevard: The long association of Watt Industries with the City of Torrance was related by this speaker. The imperative demand to meet the needs of this growing community was stressed, as was the fact that each property is unique and must be approached differently, per Mr. Watt. It was his added comment that in addition to economic considerations, decisions regarding development can be influenced by changes in life styles. The deep considerations given the Park Del Amo Project, involving professionals -- land planners, community planners, architects, engineers, sociologists, research specialists, biologists, agronomists, industrial consultants, residential consultants, governmental cost consultants, and legislative research consultants -- were noted; included were individuals and groups, such as homeowners' associations, Chamber of Commerce representatives, industrial firms, office firms, traffic consultants, employment agencies, business leaders, City officials and Staff members, and members of the Friends of the Madrona Marsh. The plan now before the Council is considered the highest and best use for the property, as the outcome of the above noted input, per Mr. Watt. It was Mr. Watt's opinion that "Park Del Amo will be the finest community development of its type anywhere in the world. At completion, Park Del Amo will be a credit to a great city, a point of pride not only for those who live and work within its boundaries but for all the people of Torrance. It will provide shelter and a work place for generations yet unborn and thereby insure that Torrance will remain vital and productive well into the 21st century."

3.

City Council
 February 23, 1982

Also present on behalf of the proponent was Mr. DeVere Anderson who reviewed the entire project as proposed, accompanied by a slide presentation. Mr. Mike Oberest addressed the matter of traffic -- proposed plans, layouts, impacts and mitigation measures.

* * * * *

The hour being 8:55 P.M., a 10-minute recess was ordered by Mayor Armstrong.

* * * * *

On resumption of the meeting, Mayor Armstrong invited comments from the audience.

Speakers were:

Bill Arrowsmith, 2019 West 231st Street, representing Friends of Madrona Marsh: Their position is well known to the Council; other speakers will elaborate on their concerns.

Charles Post, 10880 Wilshire Boulevard, Los Angeles, lawyer representing the Friends of Madrona Marsh: Provided an overview and summation of the position of the Marsh group -- the Council at this time has an opportunity to advance the goals of the community as expressed in the General Plan; various methods of retaining the Marsh, for present and future Torrance residents, yet allowing development, were delineated by Mr. Post.

Bill Uerkwitz, 23136 Anza, speaking as an individual, not a Planning Commissioner: Recommended further review of the Staff Flexible Density Report; it is unique and workable. Mr. Uerkwitz also noted concern regarding the many problems presented by 223rd Street, and the critical need for housing in Torrance.

Ms. Georgean Griswold, representing Friends of Madrona Marsh: Reviewed the Bylaws of this organization and the commitments represented thereby -- a slide presentation was also provided by Mrs. Griswold. Petitions of support for the Marsh were given the Council, as well as a proposed Time Frame related to the Marsh as a public facility.

Brook Meyer, 1755 Date Avenue: Noted campaign contributions -- and wondered if "we can get a fair vote."

Davis Morasca, Associate Professor of Biology at California State University, Dominguez Hills: (Speaking as a private individual and as a friend of the Marsh) -- Discussed the biological issues surrounding the Marsh and the richness of this unique site, the last left in the flatlands of the Los Angeles Basin, a heavily compacted district of Western North America.

4.

City Council
February 23, 1982

Sherman Grizzell, Professor of Urban Planning at California State Polytechnic University in Pomona, speaking as the Chairman of The Coalition for Los Angeles County Planning in the Public Interest, an organization dedicated to preserving significant ecological areas in Los Angeles County: Madrona Marsh is one such area. Dr. Grizzell then discussed current matters of litigation undertaken by this group; the expressed desires of the citizens regarding the preservation of Madrona Marsh; the density transfer aspect; the Los Cerritos wetlands; requirements of Torrance's General Plan, Subdivision Map Act, CEQA, etc. The proposed project cannot be justified and denial is the appropriate action -- the proponent should return to the drawing board, using contemporary planning techniques to preserve the Marsh and to permit development at the same time, in the opinion of this speaker.

Ms. Mary Buchanan, attorney representing Significant Ecological Areas Coalition for Optimum Protection (SEACOP): Protection of a critical natural area, such as Madrona Marsh, requires new management procedures, contemporary up-to-date planning implementation and techniques which go beyond traditional zoning concepts. Recommended by Ms. Buchanan was Council adoption of a firm public policy declaring that the 54 acres of Madrona Marsh will be protected and restored; authorization of a specific plan which deals with the process for restoring the Marsh and proposes allowable density and intensity of use; that the Council authorize a density transfer system; and the establishment of a Madrona Marsh Fund for Restoration, including developer participation.

Sam Suitt, 1745 Maple Avenue: The high cost of housing in Torrance was noted by Mr. Suitt; the developer's proposal does not address affordable housing -- large commercial developments, and heavily travelled Hawthorne Boulevard, are already present in Torrance; the developer proposes to add even more retail-commercial development. Mr. Suitt then commented on the violation of the General Plan as reflected in the subject project, and requested that the Council uphold and honor the commitment the General Plan represents by the City to its residents.

Bill Arrowsmith returned to state that the Friends of Madrona Marsh concur with the recommendation of the Planning Commission to deny the Park Del Amo proposal without prejudice; the Friends recommend that the westernmost 54½ acres of the property be designated open space in the General Plan and that the remainder of the property be designated low to medium density residential. Also, that the entire area be zoned consistently with General Plan designations and that there be no extension of 223rd Street through the project area were the further recommendations of Mr. Arrowsmith.

5.

City Council
February 23, 1982

Bernie Hollander, 22959B Nadine Circle: Pointed out the additional pollution which will be dumped into the City by way of the increased traffic created by the project. Calculations as they relate to carbon monoxide were provided by Mr. Hollander -- this project will not only affect the "quality of life" but the very existence of life in Torrance.

Ms. Sue Herbers, representing the League of Women Voters: The League recommends denial of the project without prejudice, and suggests that the developers meet with the Planning Department to draft a scaled-down alternative. They also recommend a study/review of the General Plan with citizen input before a decision is made on this project (prepared statement, of official record).

Jack LeResche, 3634 West 228th Street: Voiced concerns regarding traffic impacts on already overburdened intersections. Mr. LeResche recommended additional open space to cut down on the amount of development and elimination of the office space at the eastern end of the project to cut down on these adverse effects on traffic.

Ms. Lenore Johnson, 23059A Nadine Circle, representing New Horizons: Their strong concerns regarding the increased traffic were voiced.

W.A. Pollock, Chairman of the Board, Merit-Carson Homeowners' Association: Traffic problems are their major concern, along with concern as to what the City is going to do with Maple Street in a northerly direction from Monterey to Carson.

Dr. Robert Mantovani, 411 Camino de Encanto, representing the Riviera Homeowners Association: Of interest to this organization is the concept of the General Plan, circulation, noise, air quality, the loss of the biological resources, open space, and the traffic issue. Denial without prejudice was the recommendation of the Riviera Homeowners' Association, including a reduction in density, elimination of the offices in favor of single-family houses, as opposed to the multi-family residences, and maintain the 54-acre Marsh site.

Jeff Siegel, 2419 West 239th Street (14 years of age): Madrona Marsh should be opened as an educational wildlife park for the benefit of all.

Hal Lippert, 4166 Via Lado: There is a need for homes in Torrance -- the early days of the Marsh were recalled by Mr. Lippert who added that now the developer is being penalized because the property owner was good enough to let the City use the land for sump purposes at one time.

Mrs. Irene Griffith, 3416 West 239th Street, representing Torrance PTA Council: They vigorously protest the acceptance of the Park Del Amo project because of the loss of valuable, irreplaceable, educational resources; the air pollution which will result from increased automobile usage; the resultant great increase in traffic. Speaking for herself, Mrs. Griffith expressed her continuing concerns regarding the increasing

traffic in Torrance, the absence of signal synchronization, and possible delays in emergency service due to traffic congestion.

Hal Holker, 830 Camino Real, Redondo Beach: Is in favor of the project based on the job opportunities which will be offered, added affordable housing, and the open space to be provided.

Mike Schubach, 3220 Merrill Drive: Reviewed cost figures compiled by him and his associates pertaining to traffic and proposed mitigation measures, stressing the traffic problems which will be presented by the proposed project.

Bruce Newmark, 1304 Cranbrook: This Council should respond to the desires of the current residents of Torrance and come forth with the commitment that will serve the best interests of this City.

Larry Rosen, 1420 Beech Avenue, (speaking as resident homeowner): The land in question belongs to an owner, not to the City, who has the right to develop it; of all the uses to which that owner might rightfully develop this land, the proposed use is most palatable, addressing the widely acknowledged need for housing. The Staff has recommended approval, and he has every confidence in the City Staff who has dealt with the issues confidently and professionally. His feelings are shared by other citizens of the community not present at this meeting, per Mr. Rosen.

* * * * *

The hour being 11:25 P.M., a 10-minute recess was ordered by Mayor Armstrong.

* * * * *

Audience input continued -- speakers were:

Reverend Alfred Hendrickson, Pacific Unitarian Church, 28820 Cedar Bluff Drive, Rancho Palos Verdes: The Marsh area represents a heritage that has attracted people here -- the natural beauty and the natural open spaces which it appears will be covered over with concrete and macadam and tall buildings. It was his plea that the Council keep this heritage.

Art Jenkins, 5302 Carmelynn: Recalled history of the Marsh -- a playground for him during World War I, and it was a Marsh then.

Raymond Haines III, 2026 West 179th Street: Welcomes the prospect of affordable housing -- Staff has shown that the benefits of the project outweigh any possible problems.

Larry Baskrey, 820 Beech Avenue: Noted the factor of private property rights, and suggested that the Marsh supporters

form a corporation and buy it from this corporation to do whatever the City allowed them to do.

Heather Stirock, 3724 Spencer Street: Thinks Park Del Amo is beautiful and practical, and is looking forward to improvements on the land.

Gayle Cole, 3701 West 182nd Street: Traffic problems -- including heavy freeway usage in her area -- will result with approval of this project.

Ken Malloy, resident of San Pedro (past Torrance businessman): Preservation of the Marsh was urged by him, as a representative of the Isaac Walton League, a national conservation organization -- this is one of the last true marsh areas existing along the coast of California.

Mary Dean, 3210 Merrill Drive: Questioned the cost of houses to be built on this property -- prices can only escalate -- concern regarding traffic was also expressed.

Unidentified speaker indicated concern regarding the fate of Monterey Street. Desired clarification was provided by Mayor Armstrong and Acting Planning Director Ferren.

Cheryl Treck, 3623 West 187th Street: More housing in Torrance is needed -- the revenue that the office space will bring to the City justifies approval.

Elizabeth Shaw, Janet Lane: Pointed out that there will be a housing deficit, proposed open space is not for public use, resultant costs to City, property losses to residents affected by the project, etc. -- a long supporter of the Marsh, Mrs. Shaw urged retention of this priceless open space for the benefit of Torrance children and residents.

Walton Wright, president, Southern California Botanists and on the Board of Directors for Friends of Madrona Marsh: Urged consideration of open space for the next fifty years which might prove to be a most valuable commodity for this community. (Provided written material, of record, re: open space computations in Orange County). Urged that the Council set aside the 54 acres of Madrona Marsh, plus sufficient buffer on the east preserving the eucalyptus trees, and imaginative development east of Maple.

Carl Walther, 3714 Sara Drive: It is not fair to penalize today's developers for yesterday's mistakes -- this development represents a unique opportunity for the City of Torrance to completely control the development of a large parcel of private property.

Shirley Turner, 23216 Juniper Avenue: Reviewed parking problems throughout the City, possible sewer and storm drain problems when the concrete becomes a reality, etc.

Ed Greene, 3205 Onrado Street, representing the Madrona Homeowners' Association: Commented on use of proposed 223rd Street by drillsite and requested that this condition not be removed. The biggest problem for this project will be traffic, per Mr. Greene; an all-residential development would generate considerably less traffic and a less severe impact for Torrance residents -- sorely needed affordable housing was endorsed by this speaker.

The last speaker was:

Georgean Griswold, 244 Avenida Atezada: Other potential open space losses in the City were noted, as were water problems to be faced, etc. "Madrona Marsh and the eucalyptus trees are the historical heritage of the people of Torrance, and you have before you the opportunity to not only protect our history but our future also."

* * * * *

Discussion by the Council was directed to: the layout of 223rd Street; traffic flow projections; cost of proposed mitigation measures; transfer density arrangements; Senior Citizen housing units (rental or sale?); widening of Maple Avenue; combining of existing and proposed sumps; Maple Avenue ingress and egress, etc. Desired clarification was provided by Staff members and Mr. Anderson.

Councilman Applegate indicated his concerns re: Senior Citizen housing, concerns shared by the entire Council, and inquired if the proponent in this case would sign a letter of agreement concerning the intent to develop the R-5 parcel as Senior Citizen housing. Mr. Anderson responded, "Yes, we would." Mr. Applegate urged that the developer entertain expeditious construction of such housing in order to alleviate this critical need.

* * * * *

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.

Mayor Armstrong elaborated on the tremendous responsibility faced by the Council in this matter -- their feelings and concerns -- and to note that "we are not adversaries; somehow we are aliens sitting up here -- we're people too."

It was the comment of Councilwoman Geissert that there are many values in the subject proposal, taken acre by acre as far as the housing portions are concerned the density is within the City's limitations -- and yet the entire project and the mass of land (about one quarter of the remaining vacant land in the City) takes on a different character. Taken as a mass, per Mrs. Geissert, it represents a drastic departure from the direction set in the General Plan through Community Goals -- the City is not ready to absorb the impact of this development, particularly from the point of view of traffic and spill-over into existing residential areas; the improvements offered will not be adequate to address the problems. For these reasons, Mrs. Geissert offered the following:

MOTION: Councilwoman Geissert moved to concur with the Planning Commission in denial of the project without prejudice, in the hope that the developer would then come back at a later date which would provide time to reevaluate the General Plan and Community Goals, the developer to return with a plan that addressed the expressed concerns and stressed housing rather than the commercial uses on the east corner. THE MOTION DIED FOR LACK OF A SECOND.

Councilman Wilson stated that the project will provide benefits to the community in terms of improving the local economy; creating new jobs; contributions to the City in capital improvements, particularly roadways in need of improvement; to move the traffic to 223rd Street; the widening of Sepulveda; etc. There are also problems, according to Dr. Wilson, that will come with this project -- traffic, congestion, pollution, etc. However, to look into the future, if this project does not go forward, there will be a project eventually which will have the same problems but without the benefits now offered. Dr. Wilson then indicated his concerns about the offer related to Madrona Marsh -- alternatives should be studied, perhaps in the area of transfer of development rights or the additional acreage that might accrue from the combining of the sumps -- and questions that the acreage offered is a viable amount. It was his recommendation that the property east of Maple be approved and withhold any further judgment on the Marsh area until the expressed concerns can be further explored.

It was stated by Councilman Applegate that recent events have further complicated the consideration of this matter -- the Engineers Corps has reentered the picture, for one thing. Every opportunity to enhance this project in the best interests of all affected parties should be first exhausted, perhaps

voting on the balance of the project, excluding the Marsh area for a reasonable period of time.

Councilman Applegate thereupon MOVED that the Council break out that portion which is west of Maple and south of the proposed 223rd Street as proposed by the developer (approximately 35 acres), thereby severing the consideration. The motion was seconded by Councilman Brown.

It was added by Mr. Applegate that he has not changed his mind at all re: his feelings for Madrona Marsh, and it all goes back to affordability.

Following discussion, a 120 day continuance was favored by Councilman Applegate.

Councilman Brown commented on the changing times and ever increasing land costs -- it is now a time for realism and there is a need to try to find maximum open space within the bounds of reason -- and something within the 35 acres is reasonable. The continuance would allow further study re: how much open space there ought to be, what type of senior housing, etc.

The opportunity presented by this project to build Senior Citizen housing units was lauded by Councilman Walker -- he also acknowledged the concerns of the Friends of Madrona Marsh but felt that large acreage was unwarranted. The opportunity of having a 16-acre Marsh and the opportunity of having 700 Senior Citizen units is overwhelming, per Mr. Walker -- Staff is to be commended for an excellent job in bringing all of this together. He does not favor deferment one moment longer.

Speaking against the motion, Councilwoman Geissert stated that all it is doing is leaving some 35 acres to be determined at a later date; if a package cannot be put together, then the Council has lost the option to develop this into a total plan.

The financial considerations in this matter were reviewed by Councilman Rossberg -- he deemed this an "exciting project," particularly when compared with M-2 development which could occur. The subject development has been well thought out, with involvement by quality people with fine reputations in the project development field, per Mr. Rossberg -- with special praise for the proposed Senior Citizen housing.

Councilman Rossberg then offered the following SUBSTITUTE MOTION:

11.

City Council
February 23, 1982

That the Council concur with Staff which would include, among other recommendations, the combination of the sumps, an absolutely definite 700-unit minimum development for Senior Citizens at a moderate cost, if sold or rented, or a combination of those two. The substitute motion was seconded by Councilman Walker.

It was clarified by Councilman Rossberg that his substitute motion is not to sever the project but to approve the project with all setbacks, agreements, conditions, etc. incorporated in the action.

The SUBSTITUTE MOTION FAILED TO CARRY, with roll call vote as follows:

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

Mayor Armstrong then restated the MAIN MOTION which, in effect, would sever the consideration of westerly parcels for a 120 day study, parcels easterly to be approved. Discussion then resumed; it was the recommendation of Councilman Brown that the easterly portion be approved and the portion north of 223rd Street as proposed by the developer. In the interest of clarity, Councilman Applegate thereupon WITHDREW HIS MOTION for restatement of a MAIN MOTION by Councilman Brown.

MOTION: Councilman Brown moved to grant the appeal, overruling the Planning Commission insofar as that portion of the property lying easterly of Maple and northerly of 223rd Street, subject to all Staff conditions. The motion was seconded by Councilman Wilson.

Discussion continued, prior to roll call vote on the motion. Councilman Rossberg reaffirmed his interest in the Senior Citizen housing and felt the motion should incorporate that the 700 units of Senior Citizen housing must be in the approved section, Councilman Brown commented that since this is a "floating concept" as to where the 700 units will be located, he does not have a problem with requiring 700 units of Senior Citizen housing on the property included in the motion. Added by Councilman Applegate was his desire that the intent of the Senior Housing be reinvestigated; there should be some very earnest discussions with the developer.

It was further clarified by Councilman Brown that the intent of the motion that the allocation of units, plus the Senior Citizen housing, would go into the approved area, with any other units in the 35 acres to be reserved for a decision.

Mr. Anderson returned to state that, at great cost, they have designed a product that is very amenable to the City and to attempt to integrate 700 units of Senior Citizen housing

into one of the areas in the approved area puts them "back to square one." It was his suggestion that the Council change the line to the south boundary of the Senior Citizen housing -- in other words, leave that housing as it is planned, with the line going along the south boundary over to 223rd Street. This was acceptable to Councilman Brown, as maker of the motion and to Councilman Wilson who seconded the motion.

It was the request of City Attorney Remelmeyer that Mr. Anderson withdraw his application for the Tentative Tract Map, etc. for the study area. Mr. Anderson responded that it would be his understanding that the Tentative Map, etc. would have to be amended and that the application would be withdrawn in that particular area, it being his assumption that the remaining area would be approved if the motion passes.

Ms. Mary Walker, attorney for Torrance Investment Company, requested, and received, clarification regarding the area to be withdrawn. It was pointed out by City Attorney Remelmeyer that the withdrawal would be without prejudice, and, as a result of the 120 day study, a new application could be made.

Mayor Armstrong indicated that he would oppose the motion for the reason that the Council is adopting the balance of the project easterly without really calling upon imaginative and creative talents, and are accepting a magnitude that he finds very difficult to accept in one lump.

City Manager Ferraro referred to the 16 acres being given voluntarily by the subdivider, and inquired if that is still valid. Mr. Anderson stipulated that in the resubmission the offer of the 16 acres would remain.

At this point in the meeting, it was stated by Councilwoman Geissert that it seems to her that at this hour - 2:00 A.M. -- to make this kind of decision is folly. A SUBSTITUTE MOTION was made by Mrs. Geissert: That this matter be held for thirty days. THE SUBSTITUTE MOTION DIED FOR LACK OF A SECOND.

Roll call vote on Councilman Brown's motion, which carried, was as follows:

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

Mayor Armstrong conveyed his appreciation to the audience for the patience and courtesy demonstrated in this lengthy hearing.

* * * * *

* * * * *

The hour being 2:05 A.M., a 5-minute recess was ordered by Mayor Armstrong.

* * * * *

17. ADMINISTRATIVE MATTERS:

- 17a. RESOLUTION re: Canvass of Returns for 1982 General Municipal Election.

RESOLUTION NO. 82-36

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, ORDERING THE CANVASS OF THE GENERAL MUNICIPAL ELECTION TO BE HELD ON THE 2ND DAY OF MARCH, 1982, TO BE MADE BY THE CITY CLERK OF THE CITY OF TORRANCE

Councilman Wilson moved for the adoption of Resolution No. 82-36. His motion was seconded by Councilman Brown, and roll call vote was unanimously favorable.

- 17b. RESOLUTION re: S.B. 1336 - Elimination of Joint and Several Liability.

RESOLUTION NO. 82-37

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE IN SUPPORT OF SENATE BILL NO. 1336, ELIMINATION OF JOINT AND SEVERAL LIABILITY

Councilman Wilson moved for the adoption of Resolution No. 82-37. His motion was seconded by Councilman Brown; roll call vote was unanimously favorable.

17c. EXECUTIVE SESSION:

See Page 18.

18. SECOND READING ORDINANCES:

- 18a. ORDINANCE NO. 3035.

ORDINANCE NO. 3035

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE ADDING ARTICLE 11 TO CHAPTER 5 OF DIVISION 4 OF THE TORRANCE

14. City Council
February 23, 1982

MUNICIPAL CODE PROHIBITING CERTAIN
ACTIONS BY THOSE PERSONS WHO DO NOT
HAVE A FRANCHISE TO OPERATE A CABLE
TELEVISION SYSTEM IN SAID CITY, INCLUD-
ING CONSTRUCTING OR MAINTAINING SUCH A
CABLE SYSTEM, MAKING UNAUTHORIZED CABLE
CONNECTIONS, SELLING CABLE SERVICES,
TAMPERING WITH CABLE EQUIPMENT, INTER-
FERING WITH THE DELIVERY OF CABLE
SERVICES, OR REQUIRING PAYMENTS OR
CHARGES TO PERMIT THE DELIVERY OF
CABLE SERVICES TO MULTIPLE FAMILY
DWELLINGS

Councilman Wilson moved for the adoption of Ordinance No. 3035 at its second and final reading. His motion was seconded by Councilman Walker, and roll call vote was unanimously favorable.

18b. ORDINANCE NO. 3034.

City Attorney Remelmeyer noted the following revisions to Ordinance No. 3034: Article 1, Page 1, Proposals and Other Documents have been incorporated -- also added: letter dated January 27th from Sandy Medoff, Torrance Manager, Teleprompter, to City Manager Ferraro re: data base, and a letter from Lawrence Windsor, South Bay Area Manager, Teleprompter, dated February 3rd, addressed to Fire Chief DeYoung re: Fire Department matters (these letters are an addition to Page 1-2 of the Franchise).

Next noted by Mr. Remelmeyer was the request of Teleprompter representatives for a change in Articles 2 and 27 of the ordinance having to do with the term of the franchise -- that it read "to the reasonable satisfaction of the City Council." There were no objections to this request.

Desired clarification was provided by City Attorney Remelmeyer and Mr. Peter Lacombe, representing Teleprompter.

Another change in the Cable Franchise TV Agreement was noted by City Attorney Remelmeyer: Section 2, Page 2, add the word "funds."

Ms. Elaine McAloon, 4918 Paseo del Pavon, noted her communication directed to the Council and requested clarification regarding community verification of the ascertainments, pointed out changes in the subject ordinance, and requested that the next reading of the revised ordinance be extended for sixty days in order that the community may have the necessary input.

It was the direction of Mayor Armstrong that City Attorney Remelmeyer confer with Ms. McAloon to provide the clarification and assistance desired by her. Mr. Lacombe indicated his concurrence with the position expressed by City Attorney Remelmeyer as to the City's role, at the request of Ms. McAloon.

At the request of Mayor Armstrong, City Clerk Nelson assigned numbers and read titles to:

ORDINANCE NO. 3034

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, GRANTING TO TELEPROMPTER OF SOUTHERN CALIFORNIA, INC., A FRANCHISE TO CONSTRUCT, OPERATE AND MAINTAIN A CABLE TELEVISION (CATV) SYSTEM IN THE CITY OF TORRANCE ON STATED TERMS AND CONDITIONS

MOTION: Councilman Wilson moved for the approval of Ordinance No. 3034, as amended, at its first second reading. His motion was seconded by Councilman Applegate, and roll call vote was unanimously favorable.

RESOLUTION NO. 82-38

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, APPROVING THAT CERTAIN AGREEMENT BETWEEN THE CITY OF TORRANCE AND TELEPROMPTER OF SOUTHERN CALIFORNIA, INC., A CORPORATION OF THE STATE OF CALIFORNIA, FOR THE PROVISION OF CABLE TELEVISION SERVICE, IN ACCORDANCE WITH THE FRANCHISE ORDINANCE NO. 3034

Councilman Wilson moved for the adoption of Resolution No. 82-38. His motion was seconded by Councilman Applegate, and roll call vote was unanimously favorable.

City Attorney Remelmeyer advised that the Council will be furnished periodic progress reports. The Mayor indicated that he would like such reports to be on a 6-weeks basis.

* * * * *

20. CONSENT CALENDAR:

20a. AWARD OF CONTRACT - Re: Furnishing Office Furniture for City Prosecutor's Office Ref. Bid #B82-11
Expenditure: \$9,167.57

RECOMMENDATION OF PURCHASING AGENT/BUYER:

That your Honorable Body authorize the award of a contract for the purchase of the required furnishings to A. Johnson's Stationery and Supply Company in the total amount of \$9,167.57, including tax.

MOTION: Councilman Wilson moved to concur with the above stated Staff recommendation on agenda item 20a. His motion was seconded by Councilman Brown, and roll call vote was unanimously favorable.

21. ADDENDUM ITEM:

21a. AWARD OF LEASE PURCHASE CONTRACT for Financing Telephone System.

RECOMMENDATION OF FINANCE DIRECTOR:

That the proposal of Commonwealth Bank be accepted and that all other bids be rejected; and that the City Attorney be directed to approve a lease purchase agreement for execution by the Mayor.

MOTION: Councilman Applegate moved to concur with the above stated recommendation of the Finance Director. His motion was seconded by Councilman Brown, and roll call vote was unanimously favorable.

* * * * *

At 2:50 A.M. the Council convened in Joint Session with the Redevelopment Agency, recessing at 2:51 A.M. to await a Joint Executive Session at the conclusion of the Council agenda. This occurred at 2:55 A.M.; Agency adjournment was at 3:07 A.M.

* * * * *

22. ORAL COMMUNICATIONS:

22a. City Manager Ferraro reported the happy news that the surgery performed this date on City Treasurer Rupert was completely successful and rapid recovery is anticipated.

22b. City Attorney Remelmeyer expressed his appreciation to Councilman Brown for his invaluable assistance during his term of office -- he will be keenly missed by the Legal Staff.

22c. Councilman Applegate conveyed his appreciation to Councilman Brown for his outstanding contributions as a Councilmember -- this appreciation was unanimously concurred in by the Council and the Mayor.

Councilman Brown expressed his appreciation for the kind words and good wishes.

22d. Councilman Rossberg announced that the Energy Fair will be held on February 24th at the Holiday Inn -- all interested parties were invited to attend this noteworthy event.

22e. Councilman Walker noted recent Council action to send Mayor Armstrong to Kashiwa, as part of a delegation, early in April. Mr. Walker stated that he would like to amend that action to read "the Mayor and Council." He so MOVED. The motion was seconded by Councilman Wilson, and carried, with roll call vote as follows:

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

* * * * *

AGENDA ITEM 17c.- Executive Session.

At 2:55 A.M. the Council recessed for a Joint Agency/ Council Executive Session, returning at 3:05 A.M.

Council action was as follows:

MOTION: Councilman Applegate moved to concur with the City Attorney and the Claims Board in settlement of a claim (Gutterez). The motion was seconded by Councilman Brown, and roll call vote was unanimously favorable.

MOTION: Councilman Applegate moved to approve the possible settlement, monetary participation, with Ponderosa Homes in settlement of the Writ of Mandate action pending. The motion was seconded by Councilman Brown, and carried, with roll call vote as follows:

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

* * * * *

The meeting was regularly adjourned at 3:10 A.M. -- the longest City Council meeting of record -- to Tuesday, March 9, 1982, at 7:00 P.M.

* * * * *

Ava Cripe
Minute Secretary

18.

City Council
February 23, 1982


Mayor of the City of Torrance


City Clerk of the City of Torrance