

I N D E X

City Council - March 16, 1982

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Ava Cripe
Minute Secretary

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MINUTES OF A REGULAR MEETING
OF THE TORRANCE CITY COUNCIL

OPENING CEREMONIES:

1. CALL TO ORDER:

The Torrance City Council convened in a Regular Meeting on Tuesday, March 16, 1982, at 5:30 P.M. in the Council Chambers at Torrance City Hall.

2. ROLL CALL:

Present: Councilmembers Applegate, Geissert, Rossberg, Walker, Wilson, Wirth and Mayor Armstrong. Absent: None.

Also present: City Manager Ferraro and Staff representatives.

3. FLAG SALUTE:

Mr. Curtis Olson led in the salute to the flag.

4. INVOCATION:

Reverend Gordon Dalbey, Seaside Community Church, provided the invocation for the meeting.

STANDARD MOTIONS:

5. APPROVAL OF MINUTES:

Councilman Applegate moved to approve the minutes of February 9, 1982, as recorded. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable (Councilman Wirth abstained in that he was not a member of the Council on that date).

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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 Councilwoman Geissert, and roll call vote was unanimously favorable.

7. COUNCIL COMMITTEE MEETINGS:

None scheduled.

8. COMMUNITY MATTERS:

8a. PROCLAMATION declaring March 1982 as "Red Cross Month."

8b. PROCLAMATION declaring Wednesday, March 17, 1982, at "Physician's Day."

So proclaimed by Mayor Armstrong.

9. LIBRARY/PARK AND RECREATION MATTERS:

9a. TORRANCE-KASHIWA SISTER CITY TOUR.

RECOMMENDATION OF PARKS AND RECREATION DIRECTOR:

That your Honorable Body authorize an appropriation of \$1650 from the General Fund Reserve for Contingencies for the purpose of sending one additional Council member as part of the Sister City 10th Anniversary Tour.

MOTION: Councilman Applegate move to concur with the above stated Staff recommendation. His motion was seconded by Councilman Rossberg, and carried, with roll call vote as follows:

AYES: COUNCILMEMBERS: Applegate, Rossberg, Walker,
Wilson, Wirth; Mayor Armstrong.
NOES: COUNCILMEMBERS: Geissert (for reasons previously
stated).

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9b. PUBLIC SAFETY SEMINAR.REQUEST OF TORRANCE YOUTH COUNCIL:

City Council's permission to conduct a Public Safety Seminar. The program as planned will be a catalyst to spark interest in promoting greater community awareness of public safety.

MOTION: Councilman Applegate moved to concur with the above stated request of the Torrance Youth Council. His motion was seconded by Councilwoman Geissert, and roll call vote was unanimously favorable.

9c. HIGH SCHOOL ORIENTATION PROGRAM.REQUEST OF TORRANCE YOUTH COUNCIL:

City Council's permission to conduct a High School Orientation Program. The Youth Council has contacted Dr. Kroman of the School District and received permission to conduct the High School Orientation Program.

COMMENTS OF DIRECTOR OF PARKS AND RECREATION:

The only expenses for the High School Orientation is for film and development of slides. This cost should not exceed \$150. Sufficient funds are in the Youth Council's budget to cover the cost of the program.

The High School Orientation Program will expose incoming high school students to Youth Council, and will be an excellent opportunity to recruit prospective Youth Council members for next year. This program would be beneficial to both the new high school students and Youth Council.

MOTION: Councilman Wilson moved to concur with the above stated request of the Torrance Youth Council, with note of the Director of Parks and Recreation's comments. The motion was seconded by Councilwoman Geissert, and roll call vote was unanimously favorable.

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10. TRANSPORTATION/PUBLIC WORKS MATTERS:

- 10a.
- RESOLUTION
- re: Assessment Engineering Services for Extension of Street Lighting District #17.

RESOLUTION NO. 82-52

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE TO EXTEND THAT CERTAIN AGREEMENT BETWEEN THE CITY OF TORRANCE AND PATRICK N. ROSSETTI FOR PROFESSIONAL SERVICES IN CONNECTION WITH STREET LIGHTING ASSESSMENT DISTRICT NO. 17 (1982-83)

Councilwoman Geissert moved for the adoption of Resolution No. 82-52. Her motion, seconded by Councilman Walker, was unanimously approved by roll call vote.

- 10b.
- RESOLUTION
- authorizing the City's Participation in the In-Lieu Replenishment Program sponsored by the Central and West Basin Water Replenishment District.

RESOLUTION NO. 82-53

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING THE CITY'S PARTICIPATION IN THE 1982 TEMPORARY IN-LIEU REPLENISHMENT PROGRAM SPONSORED BY THE CENTRAL AND WEST BASIN WATER REPLENISHMENT DISTRICT

Councilman Wilson moved for the adoption of Resolution No. 82-53. His motion was seconded by Councilman Applegate, and roll call vote was unanimously favorable.

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10c. FY 1983-87 SHORT RANGE TRANSIT PLAN.

RECOMMENDATION:

The Department of Transportation recommends that your Honorable Body approve submittal of the Torrance Transit FY 1983-87 Short Range Transit Plan and Transportation Improvement Program to the Los Angeles County Transportation Commission and the Southern California Association of Governments.

Staff presentation was provided by Administrative Analyst Hildebrand.

Councilman Rossberg commended the Staff material and presentation, specifically noting that these are recommendations; there is nothing contained therein which commits this Council to any of the suggested actions -- this matter would be returned to Council prior to any implementation.

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

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Considered by the Council at this time, out of order:

15. HEARINGS:

15c. TORRANCE TRANSIT FARES.

RECOMMENDATION OF DEPARTMENT OF TRANSPORTATION:

That your Honorable Body approve Resolution A increasing the fare structure of the Torrance Transit System beginning April 1, 1982.

Proof of Publication was presented by City Clerk Babb, 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 presentation was provided by Administrative Analyst Hildebrand.

Council discussion ensued -- concerns were expressed relative to the vagueness of the funding prospects; the negative impact of a fare increase at this time on the increased ridership now enjoyed by the Torrance buses; etc.

Mayor Armstrong requested comments from the audience.

Ms. Helen Bertram, 912-C Sartori Avenue, presented a petition bearing 510 signatures protesting the proposed fare increase. Ms. Bertram offered alternatives for consideration: Staff should confer with representatives of nearby cities and ask for financial assistance to help Torrance maintain its "gift of transportation;" that the senior citizens and handicapped be permitted to ride with their present identification card between the hours of 10:00 A.M. and 4:00 P.M. at the present rate of fare. It is important for the physical well being of seniors and handicapped persons to be active, independent, and take part in the community, per Ms. Bertram -- the Council's help was earnestly requested.

A resident of Carson, Ms. Kimberley Johnson, speaking on behalf of student riders, recommended that there be a "student pass" to accommodate students (of varying ages) who attend the several colleges in this vicinity; further, there could be a basic rider pass, as is issued by RTD.

Mr. Lawrence Gitschier, 1303 Acacia, urged that the senior citizen rate increase be postponed until September 30, 1982 -- at that time there will be a clearer picture of the economics of the country.

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

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MOTION: Councilman Rossberg moved that the Council commend Staff for their timely report, but that this matter be held in abeyance until a later point in time when some action might be needed. The motion was seconded by Councilman Walker.

It was the recommendation of Councilman Wirth that the signers of the petition should write appropriate letters to the President and their Congressional representatives to express these concerns.

Further Staff input re: student ridership and the pros and cons on bus passes for students was requested.

Roll call vote on Councilman Rossberg's motion was unanimously favorable.

Transit Manager Schmidt graciously offered free bus service to those in attendance at this meeting who might need a ride.

12. PLANNING AND ZONING MATTERS:

12a. PARK DEL AMO PROJECT.

The Park Del Amo Project resolutions were submitted to the Council for information only, per City Attorney Remelmeyer, to assure that the changes made correctly reflect the changes requested by the Council. There were no objections.

The "senior citizen housing" aspect was discussed -- it was noted by City Manager Ferraro that it has been requested of the proponent, on the basis of Council input, that senior citizen housing be moved up on their priorities; to his knowledge, that is exactly what is being done.

Considered by the Council at this time, out of order:

17. ADMINISTRATIVE MATTERS:

17e. FIREWORKS REPORT AND RECOMMENDATION:

RECOMMENDATION:

It is, therefore, the recommendation of the Fire Chief, Police Chief, Parks and Recreation Director, and the City Manager, that the City Council concur with the following:

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- Option 2 - Direct the City Attorney to draft an ordinance to ban the use and sale of fireworks and limit the use of fireworks to displays presented by approved community organizations and conducted by state licensed pyrotechnicians; and
- Option 3 - Direct Staff to explore other means available for fund raising activities to community organizations.

Staff presentation was provided by Administrative Assistant Rojas.

Present on this matter were:

Don Lee, president, Torrance Jaycees, 2319 West 233rd Street: Elimination of safe and sane fireworks will not remedy the problem of illegal fireworks -- the loss of income from the sale of fireworks will have a substantial impact on community organizations.

Dr. Davies, founder of the Torrance Memorial Hospital Burn Unit: This unit has seen too many accidents from fireworks; they would like to stop it, and this is one way to do so.

Cliff Holliday, El Camino Kiwanis Club: The income from their fireworks stand has been used for the betterment of the community -- the sale of fireworks is one of their main sources of income.

Mrs. Pat Uerkwitz, 23136 Anza Avenue: Is of the opinion that there is no such thing as a "safe and sane" type of fireworks -- it is almost obscene for groups to make a profit off the misery of other people. It was Mrs. Uerkwitz' sincere hope that the Council would vote to do away with fireworks entirely -- there are many other ways for the community groups to raise money.

Ernest Prevost, 23026 Dana Court, president, Torrance Area Youth Band: 30% of the band's revenue comes from the fireworks stand -- the proposed ordinance will not inhibit the sale of illegal fireworks but, rather, will enhance such sales. They welcome the opportunity to work with the City is finding other sources of revenue, but past efforts have been unsuccessful.

Ken Christopherson, 3413 Emerald Street, representing Scout Center, Inc.: This Center has been built and operated solely via the sale of fireworks -- "don't take it away from us."

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Rick Sett (?), baseball coach for South Torrance American Legion Baseball Team: Some of their groups are too small to go out and raise funds -- they depend on the sale of fireworks.

Bob Bollsworthy, 23036 Benner Court, president, Torrance National Little League: Urged that the sale of fireworks in Torrance not be banned -- alternate financing has been explored and cannot make up for the revenue derived from the sale of fireworks.

Phil Desare (?), Finance Officer, Post 170, American Legion: All their profits from the sale of fireworks goes to youth activities -- "if you won't give us Bingo, give us fireworks."

Al Horowitz, 3518 West 228th Street: The real problems are presented by illegal fireworks, as noted in the experience of nearby cities -- Torrance is able to control the fireworks problem somewhat by having legal fireworks. In his opinion, banning the safe and sane fireworks will not stop the fireworks problem.

Ms. Lucy Ricardo, 3920 Pacific Coast Highway: Is in favor of banning the fireworks -- the damage to the City is horrendous.

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

It was the comment of Councilman Walker that the 4th of July problems are caused by illegal fireworks -- not the safe and sane fireworks; to prohibit the sale of the safe and sane will only expand the use of illegal fireworks. Mr. Walker then offered the following MOTION: That the Council concur with Option 1 - "Develop an extensive educational program to work in conjunction with the City ordinance regulating fireworks." THE MOTION DIED FOR LACK OF A SECOND.

Councilman Applegate acknowledged the financial problems presented to groups dependent on annual sales of fireworks, but pointed out the unreported, in many cases, problems and hazards surrounding fireworks. Mr. Applegate then noted the "user fee" approach used by some groups and urged that other methods of obtaining funds be pursued, with particular note of the

proposed 4th of July "Community Fair" which will offer non-profit groups an opportunity to raise funds.

MOTION: Councilman Applegate moved to concur with Staff recommendations and approve Option 2 and Option 3, as above stated. The motion was seconded by Councilman Wirth.

Councilwoman Geissert affirmed her continuing interest in the family picnic and controlled fireworks display concept; this to be a phasing process to provide a mechanism for family celebrations without the individual shooting off of fireworks, leaving for this year at least the fireworks stands as presently constituted.

Accordingly, Councilwoman Geissert offered the following SUBSTITUTE MOTION: That the ordinance not be changed at this time but to have the City finance a controlled display at an appropriate place (Wilson Park or Torrance High School stadium) with the Recreation Department planning the event which will include group activities making booths available for community groups. Further, that an extensive educational program be developed (per Option 1). The motion was seconded by Councilman Walker, BUT FAILED TO CARRY, WITH ROLL CALL VOTE AS FOLLOWS:

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

The MAIN MOTION, to concur with Staff Options 2 and 3, CARRIED, with roll call vote as follows:

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

Further action was taken by the Council, as follows:

MOTION: Councilwoman Geissert moved that Staff come forward with plans for a Community Fair for the 4th of July to involve all of the organizations that have raised revenues from the sale of fireworks in the past -- to assist them in setting up booths, etc. -- also, to come forward with plans for a controlled display. The motion was seconded by Councilman Wirth, and roll call vote was unanimously favorable.

It was the suggestion of Councilman Rossberg that representatives of the group fireworks stands get in touch with Staff relative to inventory, storage thereof, and associated problems.

It was the direction of Mayor Armstrong that Staff notify every appropriate licensee of the above Council action and instruct them on how to proceed re: refund of fees; further, inquire re: inventory concerns, invite them to sit in on City coordinated discussions re: alternative programs. The Mayor also requested Staff input at the earliest possible date re: the progress in this matter, as well as progress of the Community Fair and Armed Forces Day.

* * * * *

The hour being 7:30 P.M., a 10-minute recess was ordered by Mayor Armstrong.

On resumption of the meeting at 7:40 P.M. the Council convened in Joint Session with the Redevelopment Agency to consider the following items:

15. HEARINGS:

15d. TORRANCE INDUSTRIAL REDEVELOPMENT PROJECT BOUNDARIES.

(Item 4A Redevelopment Agency.)

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

Mayor/Chairman Armstrong announced that this was the time and place for the subject public hearing. Introduced was Agency Counsel Mark Huebsch. Informative Staff presentations, accompanied by slides, were provided by City Manager Ferraro, Planning Associate Progen, Redevelopment Specialist Fertal and Sr. C.E. Assistant Bornemann.

City Manager Ferraro then introduced Mr. Willie Tokishi, American Honda Motor Company, who described his company's conceptual plans for the Torrance location, with slides of the proposed development and other Honda facilities.

Comments from the audience were invited by Mayor/Chairman Armstrong.

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First to speak was Mr. Ralph Bernstein, 25141 Via Playa, Dana Point, J.S. Enterprises, owner of property in the subject area, who first indicated no objection to the Honda development and indeed welcomed them, but did express his strong objections to the redevelopment process and the condemnation connotations associated therewith. The economic hardship surrounding present and future leases of his properties in the Downtown Area with the presence of a proposed redevelopment project was also outlined by Mr. Bernstein. -- it was his request that the resolution passed by the Planning Commission be reaffirmed; the project, if it goes ahead, should be on the basis suggested by the Planning Commission.

Mrs. Patsy Morgan, 827 Van Ness Avenue, owner of machine shop business at 825 Van Ness Avenue, protested the current rock crushing activity on the Honda property -- "it looks like the City of Torrance is trying to depress the value of our property in the Redevelopment Survey Area so they can buy it cheap."

Mr. Ed Greene, 3205 Onrado, pointed out problems reported in the newspaper relative to a Hawthorne Redevelopment Project (copies were provided the Council). Mr. Greene noted the merits of "free enterprise," as demonstrated by the American Honda Motor Company, and questioned the wisdom of including the Honda project in the proposed Industrial Redevelopment Area -- certainly coordination with the surrounding area is in order, but Honda should not be constricted by redevelopment requirements. If the City of Torrance does its part in the matter of infrastructure, the land use elements of free enterprise will do theirs, per Mr. Greene.

Mr. Tokishi returned to comment re: Mrs. Morgan's above criticism of the rock crushing to state that they are attempting to clear the blight in order that they may proceed in building this project.

There being no one else 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.

Discussion ensued. At questions posed by Mrs. Geissert, Counsel Huebsch and City Attorney Remelmeyer elaborated on the definition of "blight." Mr. Rossberg stressed that his primary interest is in the infrastructure aspect; he would not favor the condemnation process. Mr. Applegate commented on the necessary role of smaller businesses.

MOTION: Councilman Walker moved to concur with the Staff recommendation: establishment of Project Area Boundaries and approval of a Preliminary Plan. The motion was seconded by Councilman Wilson.

A SUBSTITUTE MOTION was offered by Councilman Applegate: That the scope be limited to the sewers, sidewalks, etc. and some moderate upgrading of the area -- also, that the area be

smaller. THE SUBSTITUTE MOTION DIED FOR LACK OF A SECOND.

Mr. Applegate further commented on the changing areas now represented by the "broad swipe" which has been taken -- the interests are extremely varied in the areas now encompassed. It was his opinion that Staff should return with something more acceptable to everybody.

It was noted by City Attorney Remelmeyer that the adoption of this so-called plan is not truly a plan but merely a legal document which permits the City to go forward with the planning; no action of any kind will take place without future action by the City Council -- the Council retains complete control; cognizance can be taken of the comments expressed and the Council can be guided accordingly.

Council/Agency discussion resumed. It was reaffirmed that the first priority is infrastructure for the area. It was stated by Chairman/Mayor Armstrong that Staff has made the case; there is enough evidence to go forward and develop a plan which can be considered, with infrastructure the number one consideration.

A SUBSTITUTE MOTION was offered by Councilwoman Geissert as follows: That the Staff recommendation be adopted with the conditions that the tax increments of the plan that will be developed will be for the use of tax increments primarily for repair and development of utilities and improvements in the infrastructure, and that the plan will avoid condemnation. The substitute motion was seconded by Councilman Applegate, but FAILED TO CARRY, with roll call vote as follows:

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

The MAIN MOTION, to concur with the recommendation of Staff, CARRIED, WITH ROLL CALL VOTE AS FOLLOWS:

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

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

RESOLUTION NO. 82-54

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF TORRANCE AFTER APPEAL FROM DECISION
OF THE PLANNING COMMISSION SELECTING THE
BOUNDARIES OF THE TORRANCE INDUSTRIAL
REDEVELOPMENT PROJECT WITHIN THE REDEVELOP-
MENT SURVEY AREA AND APPROVING A PRELIMINARY
PLAN FOR THE REDEVELOPMENT OF THE PROJECT
AREA

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Councilman Walker moved for the adoption of Resolution No. 82-54. His motion was seconded by Councilman Wilson, and carried, with roll call vote as follows:

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

Mr. Bernstein returned to inquire about references to condemnation. Mayor/Chairman Armstrong noted that in the recorded history of this Council it has been deeply reluctant to use the tool of condemnation -- it will be necessary to await Staff's recommendation in this regard for evaluation and denial or acceptance. Mr. Bernstein then stated that "in the event any tenant refuses to sign a lease because his investment is going to be so large and there's potentially condemnation, I would like to now state that I would consider that a tort by the City of Torrance."

12. PLANNING AND ZONING MATTERS:

12b. MEMORANDUM OF UNDERSTANDING WITH HONDA CORPORATION
regarding potential redevelopment.

(Item 4B - Redevelopment Agency.)

MOTION: Councilman Wilson moved to concur with Staff recommendations re: subject Memorandum of Understanding. His motion was seconded by Councilman Applegate, and roll call vote was unanimously favorable.

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The Joint Agency/Council Session was regularly adjourned at 9:45 P.M., at which time a 10-minute recess was ordered by Mayor Armstrong before resuming the City Council agenda.

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13. ENVIRONMENTAL/BUILDING AND SAFETY MATTERS.

- 13a.
- ORDINANCE
- providing for extension of time for temporary signs.

ORDINANCE NO. 3038

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING SECTION 88.6.2 OF THE TORRANCE MUNICIPAL CODE AND ADDING A NEW SECTION 88.6.11 TO ALLOW THE ENVIRONMENTAL QUALITY AND ENERGY CONSERVATION COMMISSION TO GRANT AN EXTENSION OF TIME FOR TEMPORARY SIGNS

Councilman Walker moved to approve Ordinance No. 3038 at its first reading. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

14. PERSONNEL MATTERS:

- 14a.
- RESOLUTION
- re: Pay Range for Auto Parts Storekeeper.

RESOLUTION NO. 82-55

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE SETTING FORTH CERTAIN CHANGES REGARDING WAGES, HOURS AND WORKING CONDITIONS FOR EMPLOYEES REPRESENTED BY THE TORRANCE CITY EMPLOYEES ASSOCIATION AMENDING RESOLUTION NO. 81-147

Councilman Applegate moved for the adoption of Resolution No. 82-55. His motion was seconded by Councilman Walker, and roll call vote was unanimously favorable.

15. HEARINGS:

- 15a.
- HO 81-125, LEO LEVITZ.
- Appeal of Planning Commission denial of a request for a Home Occupation Permit to allow the operation of a paper salvage business in the R-1 zone at 23501 Pennsylvania Avenue.

Withdrawn, at the request of the proponent (finding other premises).

- 15b.
- HEARING ON APPEAL OF JAMES JOHNSON,
- dismissed Bus Operator.

Mayor Armstrong announced that this was the time and place for the subject public hearing -- the Mayor reviewed the history,

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of record, in this matter, noting that the Civil Service Commission sustained the dismissal of Bus Operator James Johnson. Mayor Armstrong then outlined the procedures to be followed in this hearing -- it was affirmed by each member of the Council that they had read all the material in this matter, including the transcript of the Civil Service Commission hearing. Approval of the above outlined procedure was indicated by the Council as well as the representatives of Mr. Johnson and the City.

Representing Mr. James Johnson, Mr. John Adams stated that there are no new arguments; their position is contained in the transcript -- the two points of this appeal are violation of fundamental due process rights and that the City has employed favoritism and race discrimination in terminating Mr. Johnson. Written material in support of this position was provided the Council -- the Council took time out to read same at this time.

Mr. David Borik, representing the City of Torrance, reiterated the pertinent facts in the case, reciting the specific incident which resulted in the dismissal of Mr. Johnson -- his actions were such as to reflect a willful and intentional disregard of standards of behaviour which the citizens of this community have a right to expect, as his employer. Further, per Mr. Borik, Mr. Johnson has been given his due process rights, and there is absence of precedence, the circumstances surrounding the demotion of another bus operator being unrelated to Mr. Johnson's circumstances. Council concurrence with the findings of City management and the Civil Service Commission was respectfully requested by Mr. Borik.

Rebuttal was then invited by Mayor Armstrong.

Mr. Adams stated that City standards in disciplinary action for matters of this nature had previously been set; that permanent employees have due process rights -- all employees have a right to expect to receive equal and fair treatment at the hands of their employer; the due process rights of Mr. Johnson were violated. It was the request of Mr. Adams that Mr. Johnson be reinstated to employment and that the Council consider discipline consistent with what other Torrance City employees in identical situations have received.

It was stated by Mr. Borik, in his closing remarks, that, in his opinion, the Civil Service Commission properly weighed the evidence presented, and requested that the Council concur in the findings of City management and the Civil Service Commission in the dismissal of Mr. James Johnson.

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

The Council recessed for Executive Session to consider this matter, the hour being 10:15 P.M. The City Manager and City Attorney did not join the Council in this Session, but were available for any desired clarification.

The Council returned at 10:25 P.M. and took the following action:

MOTION: Councilman Applegate moved to affirm the decision of the Civil Service Commission which would be termination of the employment of Mr. James Johnson. The motion was seconded by Councilwoman Geissert. Roll call vote was unanimously favorable.

17. ADMINISTRATIVE MATTERS:

17a. COUNCIL COMMITTEES:

Selections for Councilman Standing Committee Chairmanships and Memberships were as follows:

Community Planning:
Councilwoman Geissert, Chairman
Councilman Wirth
Councilman Walker

Public Safety:
Councilman Applegate, Chairman
Councilwoman Geissert
Councilman Walker

Transportation :
Councilman Wirth, Chairman
Councilman Rossberg
Councilman Applegate

Citizen Development and Enrichment:
Councilman Rossberg, Chairman
Councilwoman Geissert
Councilman Wilson

Finance and Governmental Operations:
Councilman Wilson, Chairman
Councilman Applegate
Councilman Rossberg

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Employee Relations and
Departmental Organization:
Councilman Walker, Chairman
Councilman Wilson
Councilman Wirth

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- 17b. RESOLUTION re: Formation of a South Bay Certified Development Corporation.

RESOLUTION NO. 82-56

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE DESIGNATING THE TORRANCE AREA CHAMBER OF COMMERCE AS THAT AGENCY RESPONSIBLE FOR THE FORMATION OF THE SOUTH BAY CERTIFIED DEVELOPMENT CORPORATION

Councilwoman Geissert moved for the adoption of Resolution No. 82-56. Her motion was seconded by Councilman Rossberg, and roll call vote was unanimously favorable.

- 17c. PRE-BUDGET WORKSHOP.

RECOMMENDATION OF CITY MANAGER:

That a Pre-Budget Workshop be scheduled as a first order of business on the agenda for the Council meeting on March 30, 1982 (a 5:30 P.M. meeting).

MOTION: Councilman Rossberg moved to concur with the above recommendation of the City Manager. The motion was seconded by Councilman Applegate. There were no objections, and it was so ordered.

- 17d. RESOLUTION designating Los Angeles County as the City's property tax litigation representative.

RESOLUTION NO. 82-57

A RESOLUTION OF THE COUNCIL OF THE CITY OF TORRANCE DESIGNATING THE COUNTY OF LOS ANGELES AS ITS AGENT FOR SERVICE OF PROCESS FOR ACTIONS UNDER THE REVENUE AND TAXATION CODE

Councilman Wilson moved for the adoption of Resolution No. 82-57. His motion was seconded by Councilwoman Geissert, and roll call vote was unanimously favorable.

- 17e. FIREWORKS REPORT.

Heard earlier in the meeting - See Page 7.

17f. REPORT OF FINANCE AND GOVERNMENTAL OPERATIONS COUNCIL COMMITTEE:

RECOMMENDATION

It is therefore the recommendation of the City Council Finance and Governmental Operations Committee that:

- a. The City Council direct the City Attorney to draft a Resolution modifying the earnings eligibility requirement for the Utility Users' Tax exemption to exclude certain retirement income.
- b. The City Council notify the County it is not desirous of leasing City space for temporary court rooms.
- c. The City Council direct the City Manager to present a full report on site location for a proposed Fire Station #6 with full discussion of alternatives studied and the site recommended.
- d. The City Council concur in the Finance Director's recommendation regarding budget reserves.
- e. The City Manager be directed to explore leasing of a portion of the soon to be vacated west wing of City Hall to the Torrance Employees Credit Union and Torrance legislators, and bring back specific appropriations with the proposed capital improvement budget.

MINORITY REPORT

While I concur with the majority of the Committee on each of the above items, I disagree in the means to achieve the recommended increase in qualifying income for the Senior Citizens Utility Users' Tax exemption.

It has been almost four years since the Passage of Proposition 13, and since its passage, the City Council has been barred not only from the ability to raise taxes, but also from reducing taxes. It is difficult to believe this was the intent of the people who so overwhelmingly passed Proposition 13. Further, it seems doubtful that the Courts would uphold such an interpretation.

It is time to confront the issue of reducing taxes. Therefore, it is recommended that the Utility Users' Tax Ordinance itself be changed. This direct action to raise the income criterion for the Senior Citizen exemption would set the stage for a test case and establish the right of the City to reduce taxes when it is appropriate.


Councilman Bill Applegate

Councilman Wilson reviewed Committee findings, with note of Councilman Applegate's Minority Report re: Item a.

MOTION: Councilman Wilson moved to approve Committee Report Items b. through e. His motion was seconded by Councilman Applegate, and roll call vote was unanimously favorable.

MOTION: Councilman Wilson moved for approval of Item a. of the Committee Report. His motion was seconded by Councilman Walker.

Councilman Applegate reaffirmed the above stated Minority Report and offered a SUBSTITUTE MOTION: That the Council concur with the Minority Report. The substitute motion was seconded by Councilman Rossberg.

Discussion ensued -- City Attorney Remelmeyer pointed out problems which would be presented by the action proposed in the Minority Report and the overall concerns re: reduction of the Utility Users' Tax. In view of these concerns, and his preference for a 1% across the board reduction, Councilman Rossberg WITHDREW HIS SECOND TO THE SUBSTITUTE MOTION.

The MAIN MOTION, to approve Item a. of the Committee Report, carried, with roll call vote as follows:

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

* * * * *

18. SECOND READING ORDINANCES:ORDINANCE NO. 3036

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 NORTH OF SEPULVEDA BOULEVARD, WEST OF CRENSHAW BOULEVARD, SOUTH OF MONTEREY AND TOLEDO STREETS, AND EAST OF MADRONA AVENUE, KNOWN AS THE PARK DEL AMO PROJECT FROM M-2 AND P-1 TO R-3, R-4, R-5, RTH, C-5 and M-2 (PP) AND IMPOSING A PRECISE PLAN OVERLAY
 ZC 81-1 (GPA 81-1) Torrance Investment Co.

Councilman Walker moved for the adoption of Ordinance No. 3036 at its second and final reading. His motion was seconded by Councilman Applegate, and carried, with roll call vote as follows:

AYES: COUNCILMEMBERS: Applegate, Rossberg, Walker,
 Wilson.

NOES: COUNCILMEMBERS: Geissert, Wirth; Mayor Armstrong.

20. CONSENT CALENDAR:

- 20a. AWARD OF CONTRACTS - Re: Furnishing Xerographic and printing; and carbonless paper. Ref. Bid B82-13
 Expenditure: \$57,261.89

RECOMMENDATION OF PURCHASING AGENT/BUYER:

That your Honorable Body award three contracts as follows: (per bids of record):

- A. To Butler Paper Company in the total amount of \$41,790.71 (including tax) for bid items 9,10,12, 13,16,20,22,24,26,28,29 and 31-38.
 B. To LaSalle Paper Company in the total amount of \$11,439.52 (including tax) for bid items 1,2, 17-19, 21,23,25,27 and 39-52.
 C. To Zellerbach Paper Company in the total amount of \$4,031.66, including tax, for bid items 3-8,11,14, 15 and 30.

- 20b. AWARD OF CONTRACT - Landscaping of Civic Center Drive from Madrona Avenue to Maple Avenue (B82-08)

RECOMMENDATION OF CITY ENGINEER:

That the contract be awarded to Allied Sprinkler Company, Inc., and all other bids be rejected.

- 20c. NOTICE OF COMPLETION - Spencer Street Storm Drain
(B81-04)

RECOMMENDATION OF CITY ENGINEER:

1. That the work be accepted and final payment be made to the contractor; and
2. That the City Engineer be authorized to issue a change order in the amount of \$12,139.66.

- 20d. AUTHORIZATION TO PURCHASE USED 1980 JEEP (a budgeted replacement vehicle). Expenditure: \$6,784.00, including tax.

RECOMMENDATION OF FINANCE DIRECTOR/PURCHASING AGENT:

That Council authorize the purchase of this unit - a 1980 Jeep - from Mr. Michael Merriman of Lomita for the total amount of \$6,400.00, plus tax, or \$6,784.00 total -- this qualifies as a "Special Opportunity" purchase as defined in City ordinance.

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

21. ADDENDA ITEMS:

- 21a. RESOLUTION congratulating South High School on its 25th Anniversary.

RESOLUTION NO. 82-51

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF TORRANCE CONGRATULATING SOUTH
HIGH SCHOOL ON ITS 25TH ANNIVERSARY

Councilwoman Geissert moved for the adoption of Resolution No. 82-51. Her motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

- 21b. PROCLAMATION - "Gymnastics Week" - March 21-27, 1982.

So proclaimed by Mayor Armstrong.

- 21c. VACANT POSITION ON LIBRARY COMMISSION.

It was the recommendation of City Clerk Babb that interviews for the vacant Library Commission position be advertised for April 13th at 7:00 P.M. There were no objections, and it was so ordered.

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22. ORAL COMMUNICATIONS:

22a. Councilman Applegate requested appropriate recognition for the West High School Girls Varsity Soccer Team who won the C.I.F. Championship.

22b. Councilman Applegate requested that Staff investigate the status of possible County funds for road improvements.

22c. Staff follow-through re: shrub problem at the intersection of Sonoma and Madrid -- also investigation re: needed stop signs -- was requested by Councilman Applegate.

22d. A "Happy St. Patrick's Day" wish was extended by Councilman Applegate.

22e. Councilman Rossberg commended all responsible for the very successful Sullivan 10K Run on March 14th.

22f. Councilman Wilson requested Department of Transportation analysis and recommendations re: Los Angeles County Transportation Commission candidates.

22g. Councilman Wirth expressed his appreciation to Staff for their continued help and assistance this past week.

22h. Mayor Armstrong indicated his pleasure that strict enforcement of handicapped parking violations will be underway, per memo from Police Chief Nash.

22i. Mayor Armstrong commended Staff members responsible for the outstanding presentations made at this meeting.

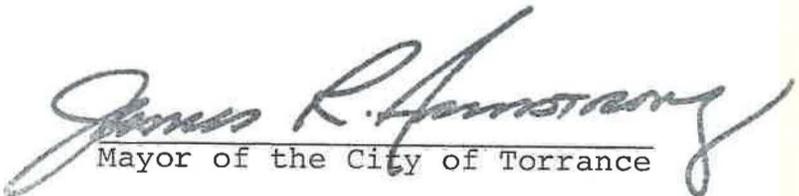
The meeting was regularly adjourned at 11:20 P.M.

* * * * *

Ava Cripe
Minute Secretary

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Mayor of the City of Torrance


City Clerk of the City of Torrance