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City Council - March 23, 1982

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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, March 23, 1982, at 7:00 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:

Police Sergeant Harold Maestri 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 16, 1982, as recorded. His motion was seconded by Councilwoman Geissert, and roll call vote was unanimously favorable (Councilman Wirth abstained in that he was not yet 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. PRESENTATION TO CENTRAL TORRANCE SOCCER TEAM.

Mayor Armstrong presented letters, plaque and tie tacks to Lynn Tyler and 17 members of the Central Torrance Soccer Team who will be traveling to the Dorchester Soccer Tournament in England on April 3rd -- the good wishes of all present were conveyed to this group.

8b. RESOLUTION commending James and Kathleen McClain on their recent retirement.RESOLUTION NO. 82-58

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF TORRANCE COMMENDING JAMES
AND KATHLEEN McCLAIN ON THEIR RECENT
RETIREMENT

Councilman Rossberg moved for the adoption of Resolution No. 82-58. His motion was seconded by Councilman Applegate, and roll call vote was unanimously favorable.

8c. PROCLAMATION - "Medal of Valor Week" - March 29 through April 4, 1982.

So proclaimed by Mayor Armstrong.

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9. LIBRARY/PARK AND RECREATION MATTERS:

9a. RESOLUTION honoring the 10th Anniversary of the Affiliation with Kashiwa City, Japan.

RESOLUTION NO. 82-59

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING THE 10TH ANNIVERSARY OF OUR SISTER CITY AFFILIATION WITH KASHIWA CITY, JAPAN

Councilman Wilson moved for the adoption of Resolution No. 82-59. His motion was seconded by Councilman Applegate; roll call vote was unanimously favorable.

9b. ANNUAL REPORT OF TORRANCE ROSE FLOAT ASSOCIATION 1981-82 (1982 Float)

RECOMMENDATION OF DIRECTOR OF PARKS AND RECREATION:
Acceptance and filing of the Annual Report of the Torrance Rose Float Association is recommended. Further, that the Association be commended for outstanding community service.

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

10. TRANSPORTATION/PUBLIC WORKS MATTERS:

10a. RESOLUTION re: Dial-A-Lift Funding.

RESOLUTION NO. 82-60

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING THE DIRECTOR OF TRANSPORTATION TO FILE AN APPLICATION WITH THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS FOR ARTICLE 4.5 FUNDING IN FY 1982-83

Councilwoman Geissert moved for the adoption of Resolution No. 82-60. Her motion was seconded by Councilman Walker, and roll call vote was unanimously favorable.

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- 10b. RESOLUTIONS re: Joint Use Agreement with Southern California Edison Company; Appropriation of Funds for Pole Relocation; and Approval of Right-of-Way Certification at Western Avenue and 190th Street.

RESOLUTION NO. 82-61

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE APPROVING THAT CERTAIN AGREEMENT BETWEEN THE CITY OF TORRANCE AND SOUTHERN CALIFORNIA EDISON COMPANY FOR JOINT USE OF DEDICATED STREET RIGHTS-OF-WAY ON WESTERN AVENUE AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE SAID AGREEMENT

Councilwoman Geissert moved for the adoption of Resolution No. 82-61. Her motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

RESOLUTION NO. 82-62
(Resolution "A")

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING THE CITY ENGINEER TO EXECUTE RIGHT-OF-WAY CERTIFICATIONS FOR FEDERAL-AID PROJECTS

Councilman Wilson moved for the adoption of Resolution No. 82-62 (Resolution "A"). His motion was seconded by Councilman Applegate; roll call vote was unanimously favorable.

- 10c. CONSTRUCTION OF STREET IMPROVEMENTS ADJACENT TO COLUMBIA PARK ON 190TH STREET AND PRAIRIE AVENUE.

RECOMMENDATION OF CITY ENGINEER:

That your Honorable Body approve the construction of street improvements on 190th Street and Prairie Avenue adjacent to Columbia Park utilizing funds currently appropriated to ACTION PLAN Project No. 35.

MOTION: Councilman Rossberg moved to concur with the above stated recommendation of the City Engineer. His motion was seconded by Councilman Applegate; roll call vote was unanimously favorable.

10d. ROUTING FOR UNION OIL COMPANY 20-INCH PIPELINE WITHIN THE CITY OF TORRANCE.

RECOMMENDATION OF STAFF:

That your Honorable Body approve ROUTE 2, as described in the EIR, as the most appropriate alternative route for the proposed Union Oil Company pipeline.

Geissert
Councilwoman advised that her husband is employed by Union Oil Company, and she will, therefore, ABSTAIN in this matter. Mrs. Geissert departed from the Council Chambers.

Staff presentation was provided by City Engineer Bourbonnais.

Representing Union Oil Company, Mr. Loren Grandee explained the importance of the proposed project in order to transport their product to the public, noting the voluminous information which has been obtained as a result of this request -- now, some 16 months later, this matter is before the Council for route determination. Mr. Grandee indicated that Union Oil will cooperate fully with all City departments to satisfy all reasonable conditions, and respectfully requests that the Council select a pipeline at this meeting in order that they may proceed with the project.

Councilman Applegate noted that there is just over one year left on the Union Oil franchise -- it was confirmed by City Attorney Remelmeyer that this franchise expires in July, 1983, and that he has not been contacted relative to renegotiating. Mr. Applegate then questioned Mr. Grandee as to why Union Oil Company, with just over a year left on their franchise, would come in and spend substantial amounts of money to construct a pipeline which Union Oil would have the right to keep in the ground for slightly over one year. It was Mr. Grandee's response: "I guess we have faith in the future and faith in the governing body of the City of Torrance that they will permit us to extend that franchise beyond the expiration date."

Continuing, Mr. Applegate expressed his opinion that the right thing to do would be to sit down with Union Oil Company to determine whether or not the City does have the intention to extend their franchise. Were the Council to go ahead and approve the placement of the pipeline at this time, and then could not be in agreement a year hence, there might be some legal implication that the City would somehow be withholding their right to utilize an approved pipeline, per Mr. Applegate.

Councilman Walker stated that this appears to be "getting the cart before the horse" -- does the City, in fact, want to extend this franchise? Following that

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decision, consideration of the pipeline route would be appropriate, in the opinion of Mr. Walker -- further, he has some reservations as to the basic need for the pipeline in the first place.

Mayor Armstrong indicated his puzzlement as well by the corporate decision not to attempt now, since construction is apparently necessary, to reopen discussions pertaining to the franchise. Any action taken tonight would affect only this one item, this one night, and has no impact at all on future franchise discussions; this was stressed by the Mayor. Mr. Grandee indicated concurrence that there is just this one decision at this time; they do have a contract and should be able to do business in an appropriate manner.

It was affirmed by Mr. Grandee, at Councilman Applegate's request, that it is his understanding that the Union Oil franchise expires in 1983, as well as his understanding that if the franchise negotiations with the City were unsuccessful, it would be necessary to cease operation of that pipeline in that there would be no other option.

Comments from the audience were invited by Mayor Armstrong.

Mr. John Bailey, 23404 Walnut, representing SPIT (Stop the Pipeline in Torrance), expressed their strong opposition to the proposed Union Oil pipeline through their residential area. Mr. Bailey then recalled the December, 1980, tragedy in Long Beach involving a similar pipeline -- also reviewed were contents of the EIR which neglected to include community concerns, alternatives, etc. Other pipeline accidents in other areas were detailed by Mr. Bailey, as were City revenues from Union Oil. It was the request of this organization that the Council deny Union Oil Company the right to construct the pipeline anywhere in Torrance.

Mr. Robert Davis, 2779 Gayle Avenue, Long Beach, a victim of the 1980 incident in Long Beach, spoke of his experience caused by a supposedly "safe pipeline;" there is too much danger with a pipeline in a residential neighborhood.

Representing Howard Wood School PTA, president Sue Herbers, 2264 - 230th Street, voiced the Board's opposition to the construction of a pipeline through their residential area -- many dangers would be presented to the residents, both adults and children, and this appears to be an extremely dangerous project.

Other speakers were: Mr. Ken Barous, 2040 West 234th Street - concerned about possible precedent-setting aspects and possible adverse legal implications; Mr. Andrew Tillman, 2784 Gayle Avenue, Long Beach - reaffirmed the tragedy of the 1980 Long Beach explosion; and Mr. Phil Cridew (?), 2367 West 237th Street - presently has a pipeline in front of his house and is concerned about an increase in gas traveling in front of his home.

It was the comment of Councilman Applegate that there are two possibilities before the Council -- (1) allow for the construction of a new pipeline which likely would be safer than anything in the ground today; and (2) this Council may have the authority to put a condition which would require the vacation of the pipeline presently running down 237th Street -- that might be the only way this Council might authorize the construction of a new pipeline. Mr. Applegate was of the opinion that there is sufficient confusion in this matter to warrant the following motion.

MOTION: Councilman Applegate moved that this entire matter be referred to the City Attorney and City Staff for further input -- that they take into consideration the matters pertaining to the length of the franchise, the possibilities of extension, etc., it being the consensus of this Council that the possibility of a route down residential streets is foreclosed -- that they review the discussion this date and return with additional recommendations to Council. The motion was seconded by Councilman Wirth, and carried, with roll call vote as follows:

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

(To be returned in approximately 60 days.)

(Councilwoman Geissert returned to the Council Chambers at this time.)

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11. POLICE AND FIRE MATTERS:11a. PROPOSED FIRE STATION #6.RECOMMENDATION:OF FIRE CHIEF:

Staff recommends that the Jefferson Middle School site be approved as the location for Fire Station #6 and recommends that your Honorable Body direct the Land Management Team to proceed with the formal negotiations for the City to acquire the 25,200 sq. ft. Jefferson School site. Staff further recommends that the City-owned 1.45 acre sump site at Hull School on Arlington and 233rd Street presently being leased to the Torrance Unified School District be used as a basis for an exchange of parcels.

MOTION: Councilman Rossberg moved to concur with the above stated Staff recommendation. His motion was seconded by Councilman Walker.

Councilman Applegate requested Staff review re: possible night lighting for the adjacent soccer field in conjunction with security lighting for the Fire Station.

Mrs. Dee Hardison, 2024 West 236th Street, representing the Park and Recreation Commission, expressed their concerns re: any removal of open space -- the Open Space Ad Hoc Committee has met and has a recommendation going back to the Commission to the effect that they are not in favor of giving up any open space, particularly open space that is currently being used for recreation.

It was the added comment of Councilman Applegate that he would not favor the actual expenditure of cash money for this property -- as an integral part of our City government and the School Board, a "land swap" is what is under consideration; "this is for the betterment of the entire community and should be the spirit in which we go forth in negotiations with the School Board."

Councilwoman Geissert indicated concurrence with the above remarks made by Mrs. Hardison; her preference would have been to have the fire station on the property to the east although it seems to have a lot of things going against it, hence the compromise and her support.

Roll call vote on Councilman Rossberg's motion to concur with the Staff recommendation was unanimously favorable.

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The hour being 8:50 P.M. the Council convened in Joint Session with the Redevelopment Agency to consider the following:

12. PLANNING AND ZONING MATTERS:

12a. CONSIDERATION OF A JOINT RESOLUTION OF THE CITY COUNCIL AND REDEVELOPMENT AGENCY CONCERNING THE ESTABLISHMENT OF ANNUAL GROUND RENT FOR THE UNITED CEREBRAL PALSY FOUNDATION FOR LEASE OF LAND AT 226TH STREET AND OCEAN AVENUE.

Mr. Applegate questioned the 8 percent cap on annual increases, as referenced in the subject resolution -- this was deemed an equitable arrangement by Staff members Ng and Moore. However, Mr. Applegate MOVED to amend the resolution to let the annual increase float as is normally the practice. The motion was seconded by Mr. Rossberg.

Discussion was directed to the action recommended by Mr. Applegate. Mrs. Geissert indicated concern regarding the modification, recalling past discussions relating to this desired housing; she would greatly regret losing this opportunity for affordable housing, and offered the following SUBSTITUTE MOTION: That the Agency/Council accept the resolution as presented. The substitute motion was seconded by Mr. Walker.

Mr. Applegate reaffirmed his strong feeling that the rate can always be reduced but never increased; this is a 55-year lease which locks in the City of Torrance and all future Councils for this long period of time -- what he proposes will make it possible for the increase to float "however the rest of the world goes."

Ms. Susan Phipps-Carr, United Cerebral Palsy Foundation, was present to provide further input, indicating that she favored the 8% cap.

Mr. Rossberg stated that in view of the foregoing discussion he now favors the substitute motion, although he seconded the main motion.

Mrs. Geissert's substitute motion to adopt the resolution as presented CARRIED, with roll call vote as follows:

AYES: AGENCY/COUNCILMEMBERS: Geissert, Rossberg, Walker,
Wilson, Wirth: Mayor/
Chairman Armstrong.
NOES: AGENCY/COUNCILMEMBERS: Applegate.

It was stated by Mr. Applegate that he is in favor of the project; his "no" vote was only for the reason of the 8%.

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

RESOLUTION NO. 82-63 (RA 82-8)

A JOINT RESOLUTION OF THE CITY COUNCIL AND THE REDEVELOPMENT AGENCY OF THE CITY OF TORRANCE, CALIFORNIA, ESTABLISHING AND DETERMINING AN ANNUAL GROUND RENT FOR THE LEASE OF APPROXIMATELY 25,000 SQUARE FEET OF LAND LOCATED AT 226TH STREET AND OCEAN AVENUE IN THE CITY OF TORRANCE TO THE UNITED CEREBRAL PALSY FOUNDATION FOR THE PURPOSE OF CONSTRUCTING HOUSING UNITS FOR HANDICAPPED PERSONS

Councilwoman Geissert moved for the adoption of Joint Resolutions 82-63 and RA 82-8. Her motion was seconded by Councilman Walker, and roll call vote was unanimously favorable.

The Agency/Council Joint Session was regularly adjourned at 9:10 P.M. and the Council resumed its regular agenda order.

13. ENVIRONMENTAL/BUILDING AND SAFETY MATTERS:

- 13a. RESOLUTION expressing opposition to the proposed sale of leases permitting oil and gas recovery operations in 12 offshore tracts adjacent to Santa Monica Bay.

RESOLUTION NO. 82-64

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA,

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OPPOSING THE LEASE, SALE OR PRODUCTION OF PETROLEUM RESOURCES ON THE OUTER CONTINENTAL SHELF IN AND IMMEDIATELY ADJACENT TO THE SANTA MONICA BAY

Councilwoman Geissert moved for the adoption of Resolution No. 82-64. Her motion, seconded by Councilman Applegate, carried, with roll call vote as follows:

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

14. PERSONNEL MATTERS:

14a. MODIFICATION OF CLASSIFICATION SPECIFICATION - Paralegal Assistant.

RECOMMENATION OF PERSONNEL SERVICES:

That your Honorable Body adopt the modified class specification for Paralegal Assistant (Subclasses: Litigation and Real Estate).

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

15. HEARINGS:

15a. CUP 81-35, K & M Limited.

Held for one week.

17. ADMINISTRATIVE MATTERS:

17a. RESOLUTION re: Proposition 9 - June 8, 1982 Election.

RESOLUTION NO. 82-65

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE IN SUPPORT OF PROPOSITION 9 ON THE JUNE, 1982, CALIFORNIA BALLOT

Councilman Wilson moved for the adoption of Resolution No. 82-65. His motion was seconded by Councilman Walker, and carried, with roll call vote as follows:

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

It was the comment of Councilman Wirth relative to his negative vote that he has great doubts as to whether the Peripheral Canal is the answer to Southern California's water problems; he is concerned about the cost of the Canal, particularly the energy cost involved; also, who will be getting the majority of the water? Mr. Wirth noted further concerns regarding the overall question of water management in California; there are some alternatives in need of discussion.

17b. PUBLIC EMPLOYEES' RETIREMENT SYSTEM COST-OF-LIVING INCREASES - Opposition to AB 2344 and support of the City of Anaheim's SB 90 claim.

Sergeant Harold Maestri, representing TPOA, noted recent communication regarding the plight of some of the retired Police personnel, some of them virtually at the poverty level. Sergeant Maestri pointed out his request some one and a half years ago that Council not support the Staff recommendation to oppose AB 2674 -- he again requests the same action on AB 2344. It is hoped that City representatives will sit down at the bargaining table to work with TPOA in helping these people.

It was the comment of Mayor Armstrong that the appropriate place for this discussion re: benefits for the retired employee has been during TPOA negotiations -- Assistant City Manager Jackson stated that that has been the position of the City.

Councilman Rossberg ascertained that there was no urgency in this matter, and indicated that he would prefer to have more time for further study. Mr. Rossberg thereupon MOVED to table this matter at this time; that it be placed on the agenda of the March 29th Finance Committee meeting. The motion was seconded by Councilman Walker, and roll call vote was unanimously favorable.

17c. RESOLUTION re: Refund of Utility Users' Tax by Southern California Gas Company.

RESOLUTION NO. 82-66

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF TORRANCE APPROVING THE REFUND OF
UTILITY USERS' TAX FUNDS BY THE SOUTHERN
CALIFORNIA GAS COMPANY

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Councilman Applegate moved for the adoption of Resolution No. 82-66. His motion was seconded by Councilman Walker, and roll call vote was unanimously favorable.

18. SECOND READING ORDINANCES.

18a. ORDINANCE NO. 3038

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 for the adoption of Ordinance No. 3038 at its second and final reading. His motion was seconded by Councilwoman Geissert, and roll call vote was unanimously favorable.

20. CONSENT CALENDAR:

20a. PARCEL MAP NO. 13849.

Owner: Copa Pacific Apartments
(F. Torino and R. Collins)

Engineer: Lanco

Location: 23930 Ocean Avenue (148 units)

RECOMMENDATION OF CITY ENGINEER/ACTING PLANNING

DIRECTOR: That the City Council approve Parcel Map No. 13849.

MOTION: Councilman Rossberg moved to concur with the Staff recommendation on agenda item 20a. His motion was seconded by Councilman Walker, and carried, with roll call vote as follows:

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

NOES: COUNCILMEMBERS: Geissert.

ABSTAIN: COUNCILMEMBERS: Applegate.

22. ORAL COMMUNICATIONS:

22a. City Manager Ferraro requested permission for Staff to explore the matter of TV camera lighting with commercial TV companies. There were no objections.

22b. Councilwoman Geissert, in a prepared statement (of record), reviewed citizen concerns regarding development trends in the City, these concerns now being studied by Staff -- Mrs. Geiwsert requested a progress report on this matter.

It was her further request that a meeting of the Community Planning and Design Committee be scheduled to consider guidelines for floor area ratio standards of commercial structures, with Staff to prepare background material on the specific subject of floor area ratios as well as other options for controlling density.

There were no objections, and it was so ordered.

22c. Councilman Rossberg requested Staff review re: waivers for possible injuries by participants in City sports events.

22d. Councilman Wilson noted the Spring Seminar for the Independent Cities to be held on April 16-18 at Rancho Bernardo would prove of great interest to the Council -- the theme being "Maintaining Home Rule - A Challenge for Today."

22e. Councilman Wilson requested appropriate ^{recognition} for the two Torrance Police Officers who saw the smoke coming from the Rectory at St. Catherine's Church.

22f. Mayor Armstrong inquired as to the status of the mosaic stepping stones from the Sepulveda school site donated to the City -- Park Services Administrator Hoffman advised that a Capital Improvement Program for installation of these stones at Paradise Park has been submitted.

22g. Mayor Armstrong commended Chief Nash and the entire Police Department for the "terribly good numbers" contained in his recent report re: Police Department activities.

At 9:40 P.M. the Council recessed for an Executive Session, returning at 9:50 P.M. to take the following action:

MOTION: Councilman Applegate moved to concur with the recommendation of the Insurance Claim Committee re: Mark A. Peterson vs. the City of Torrance. The motion was seconded by Councilman Walker, and roll call vote was unanimously favorable.

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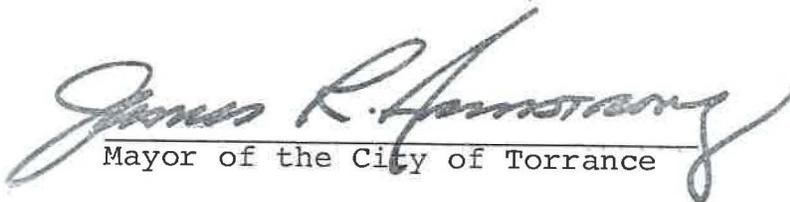
The meeting was regularly adjourned at 9:55 P.M.

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Ava Cripe
Minute Secretary

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Mayor of the City of Torrance


City Clerk of the City of Torrance