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City Council - June 29, 1982

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Ava Cripe
Minute Secretary

ii.

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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, June 29, 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:

Captain Lawrence Fitzgerald led in the salute to the flag.

4. INVOCATION:

Pastor Steve Mays, Calvary Chapel of South Bay, provided the invocation.

STANDARD MOTIONS:5. APPROVAL OF MINUTES:

None available.

6. MOTION TO WAIVE FURTHER READING:

Councilman Applegate moved that after the City Clerk has assigned a number and read title to any resolution or ordinance on tonight's agenda, the further reading thereof be waived, reserving and guaranteeing to each Councilmember

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

7. COUNCIL COMMITTEE MEETINGS:

Citizens' Development:

July 1, 1982 at 4:00 P.M.

8. COMMUNITY MATTERS:

8a. PRESENTATION RE: ARMED FORCES DAY EFFORTS.

Captain Lawrence Fitzgerald, Military Order of the Purple Heart, presented an award to Mayor Armstrong and Captain Darrell Lanham for their Armed Forces Day efforts -- this recognition was most gratefully accepted.

8b. PRESENTATION OF PLAQUE FOR RETIRING EMPLOYEE, ERNIE DORCHAK.

In recognition of his 20 years of service to the City Torrance, Mayor Armstrong presented retiring employee, Ernie Dorchak with a plaque on this occasion. Mr. Dorchak expressed appreciation for these years.

8c. PRESENTATION OF PLAQUE FOR RETIRING EMPLOYEE, FIRN HANSEN.

Mayor Armstrong presented a plaque of recognition for her twenty-one years of service to the City to retiring employee, Firn Hansen -- this tribute was graciously accepted by Firn who likewise was grateful for her long, rewarding association with the City of Torrance.

8d. PRESENTATION TO JACK McKINNON.

Mayor Armstrong presented retiring Building and Safety Director McKinnon with a watch in tribute to his twenty-five years of dedicated service -- good wishes were also expressed for his new career as Capital Projects Administrator. Mr. McKinnon was deeply appreciative of this recognition.

10. TRANSPORTATION/PUBLIC WORKS MATTERS:

10a. RESOLUTION opposing passage of AB 3800.

RESOLUTION NO. 82-134

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE OPPOSING THE PASSAGE OF ASSEMBLY BILL 3800 WHICH WOULD INVALIDATE THE HALF-CENT SALES TAX FOR PUBLIC TRANSIT IN LOS ANGELES COUNTY

Councilman Wilson moved for the adoption of Resolution No. 82-134. His motion was seconded by Councilwoman Geissert.

Prior to roll call vote on the motion, an update was provided by Director of Transportation Horkay.

Councilman Applegate reaffirmed his previously voiced objections to the ½% increase in sales tax in view of the major impacts represented thereby -- further, it is his opinion that this is a tax just to subsidize those people who ride the bus since this increase will enable RTD to keep their fares down for the next three years.

In the opinion of Councilman Rossberg this item, if adopted, would be another example of trying to circumvent the intention of the voters re: Proposition 13 -- it is his interpretation that the passage of Proposition 13 intended to require a 2/3 voter majority to raise taxes or to implement new taxes. Therefore, Mr. Rossberg will vote against agenda item 10a.

Councilwoman Geissert disagreed with the above speakers -- she stated that this Council has demonstrated repeatedly that they have a commitment to public transportation in the City and its transit line. Also noted by Mrs. Geissert was the Department of Transportation recommendation a short time ago that dramatically higher fares be phased in - an item of much concern to those dependent on public transportation; no member of the Council was ready to do that, in the hopes that necessary funds would materialize. By virtue of the court decision validating the 54% vote of the public on Proposition A. the agony of a dramatic fare increase was avoided. "I don't know how we can talk out of both sides of our mouths; I'm going to support the recommendation on this; I can do this in good conscience; I believe in majority rule, and the majority certainly did vote for this particular measure," per Mrs. Geissert.

It was the opinion of Councilman Wirth that, in the long run, this will benefit all the citizens for many, many years down the road.

Councilman Wilson stated that it is necessary to be realistic and accept the situation at the present time; it is also necessary to be concerned about the interest of all the citizens of Torrance; this issue should be supported.

The motion for the adoption of Resolution No. 82-134 carried, with roll call vote as follows:

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

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10b. REPAIR AND RESTORATION OF SERVICE TO WELL NO. 4.RESOLUTION NO. 82-135

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE WAIVING THE PROVISIONS OF THE COMPETITIVE BID REQUIREMENTS OF SECTION 22.2.1 THROUGH 22.3.16 OF THE TORRANCE MUNICIPAL CODE, DECLARING THE PRESENCE OF AN EMERGENCY PURSUANT TO SECTION 22.3.12 OF THE TORRANCE MUNICIPAL CODE, AND SECTION 1450 OF THE CHARTER AND AUTHORIZING REPAIR WORK ON WATER WELL NO. 4

Councilman Applegate moved for the adoption of Resolution No. 82-135. His motion, seconded by Councilman Rossberg, was unanimously approved by roll call vote.

12. PLANNING AND ZONING MATTERS:

- 12a. Request for Waiver of building and plan check fees - United Cerebral Palsy Foundation handicapped housing project.

Held for one week, per Staff request.

15. HEARINGS:

- 15a. EA 81-2, CITY OF TORRANCE (Carson Street Improvements):
Continued Administrative Appeal of the Environmental Review Board decision to adopt the Carson Street Widening Environmental Impact Report. THE ENVIRONMENTAL REVIEW BOARD AND PLANNING DEPARTMENT RECOMMEND CERTIFICATION OF THE EIR, INCLUDING ALL COMMENTS, RESPONSES AND MODIFICATIONS.

Mayor Armstrong announced that this was the time and place for the continued consideration re: EA 81-2. Councilman Applegate MOVED to reopen the public hearing; the motion was seconded by Councilman Rossberg. There were no objections, and it was so ordered.

Following Staff presentation by Planning Associate Bihn, Mayor Armstrong invited comments from the audience.

Mr. Milton Carson, 3105 West Carson Street, stated that the material of record "does a very fine job," and the residents are now anxious to get to the next stage of this project. The residents are desirous of being involved in the review meetings in order that they may make meaningful input.

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

MOTION: Councilman Applegate moved that the Council certify the final EIR on the Carson Street Widening proposed project (EA 81-2) as adequate, accurate and complete, and find that it has been prepared in conformance with the California Environmental Quality Act and the State Guidelines for the following reasons:

(1) The final EIR contains a discussion of the required elements of an EIR as required by the CEQA and the State Guidelines.

(2) Each of these elements is discussed and clarified as appropriate here tonight; discusses the significant environmental effects; the alternatives and mitigation measures which will enable the decision-making body to make an informed decision in approving or disapproving the proposed project.

(3) Sufficient notices have been sent and published, and comments have been solicited from the appropriate agencies, and the general public has had several opportunities to review the materials and to comment.

(4) The comments of the reviewing agencies and the public have been sufficiently answered with City Staff and consultant responses.

(5) No evidence has been presented before this Council which would tend to indicate that the further delay would produce any new information or allow any person of vital interest to be heard who has not already been heard.

Mr. Applegate further MOVED that the comments and evidence presented tonight be included in and be made a part of the final EIR.

The motion was seconded by Councilman Rossberg, and roll call vote was unanimously favorable.

It was the request of Councilwoman Geissert that a group of interested homeowners and parties in this matter be formed -- as was evidenced in the outstandingly successful Madrona Avenue project via such group cooperation.

- 15b. V 82-1 (EA 81-26), BISSELL ASSOCIATES (Rolling Hills Property, Ltd., Henry Zdonek, Partner): Request for approval of a height variance (subject to all FAA requirements) to allow the construction of a two-story condominium office building (Design #3) in the C-5 zone at the northeast corner of Hawthorne Boulevard and Rolling Hills Road. THE PLANNING COMMISSION AND PLANNING DEPARTMENT RECOMMEND APPROVAL OF THIS REQUEST.

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, and inquired if anyone wished to be heard. There was no response.

Councilman Applegate moved that the hearing be closed. His motion, seconded by Councilman Walker, was unanimously approved by roll call vote.

MOTION: Councilman Applegate moved to concur with the recommendation of the Planning Commission and Planning Department for approval of V 82-1, subject to conditions. The motion was seconded by Councilman Walker. Roll call vote was unanimously favorable.

RESOLUTION NO. 82-136

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, GRANTING A VARIANCE FROM THE PROVISIONS OF DIVISION 5 OF THE TORRANCE MUNICIPAL CODE TO ALLOW A HEIGHT VARIANCE (SUBJECT TO FAA REQUIREMENTS) TO PERMIT THE CONSTRUCTION OF A TWO-STORY CONDOMINIUM OFFICE BUILDING (DESIGN #3) WITH ON-GRADE PARKING IN THE C-5 ZONE AT THE NORTHEAST CORNER OF HAWTHORNE BOULEVARD AND ROLLING HILLS ROAD
 V82-1 (EA 81-26): BISSELL ASSOCIATES
 (ROLLING HILLS PROPERTY, LTD., HENRY ZDONEK)

Councilman Applegate moved for the adoption of Resolution No. 82-136. His motion was seconded by Councilwoman Geissert, and roll call vote was unanimously favorable.

Considered by the Council at this time:

21. ADDENDUM ITEM:

- 21a. RESOLUTION re: Proposed Vacation of a Portion of Rolling Hills Road, Madison Street and a Portion of a "Future Street" Adjacent to Madison Street.

Proponent and Beneficiary: Bissell Associates.

RESOLUTION NO. 82-137

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE ORDERING THE VACATION OF PORTIONS OF ROLLING HILLS ROAD, MADISON STREET AND A PORTION OF THE PARCEL SHOWN AS "FUTURE STREET" ON TRACT NO. 31331

Councilman Applegate moved for the adoption of Resolution No. 82-137. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

The Council now returned to its regular order; the following items were considered together:

- 15c. V 82-2, UMET TRUST (Old Towne Mall): Request for Variance to allow less than Code required parking spaces;

CUP 82-18 and PP 71-14 (Modification), UMET TRUST (Old Towne Mall): Administrative Appeal of Planning Commission approval of requests to allow relocation of food court and addition of two major tenants, architectural changes to the exterior of the mall, restriping and/or redesign of sections of the parking lot to provide more parking, the addition of a tram;

PP 78-27 (Modification), EXCONDIDO MISSION VILLAGE, LTD. (Best Plaza): Administrative Appeal of Planning Commission approval for request to restripe and/or redesign sections of parking lot to provide more parking and permanently maintain an adjacent parcel on Hawthorne Boulevard for parking purposes for Best Plaza; and

CUP 82-17 and CUP 82-16, TITLE INSURANCE AND TRUST COMPANY: Administrative Appeal of Planning Commission approval to allow construction of an 8,090 square foot of flower shop/commercial building and a 6,800 square foot savings and loan building.

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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 hearings, and, following Staff presentation by Planning Assistant Campbell, invited comments from the audience.

Mr. Gary Colbert, 20111 Hawthorne Boulevard, reviewed the long standing parking problems at this site and the resultant problems presented to residents across the street.

Mr. Jack Rubin, president, UMET Trust, was present to elaborate on the revised parking arrangements and the improvements which will result, including strict requirements re: employee parking at the rear of the complex; the elimination of entertainment at the food court and related traffic; the provision of the tram service throughout the complex; etc. Additional clarification was provided by Mr. William Beverly, on behalf of Best Plaza (Escondido Mission Village, Ltd.) regarding Holiday Spa parking problems and the likely alleviation thereof in the near future.

Of specific concern to Councilman Applegate was the possibility of "token landscaping," placed in such a way as to comply with the fine letter of the law. Security measures were questioned by Councilman Rossberg. Responses were forthcoming from Mr. Rubin and Ms. Janice Carpenter, vice president, UMET.

Other speakers were:

Mr. John Snay, 20324 Perkins Avenue: Described substantial parking problems in his residential area created by the Mall, particularly during the holiday season. Litter, noise and congestion are also factors, per Mr. Snay.

Mr. Donald Bruman, 4512 Bulova Street: Commented on the "traffic mess" on the access road, particularly during the holidays, creating a hazardous situation. Further, crime has increased substantially -- a negative vote by the Council was urged by Mr. Bruman.

Ms. Shirley Shoot, 19905 Hawthorne Boulevard: Joined in pointing out the traffic problems presented the residential area. (Mayor Armstrong directed Staff, as a separate matter, to confer with residents relative to above described problems.)

Mr. Jim Mayo, Regional Sales Director, Best Products: It is imperative that the plan which is accepted improve the situation and not just maintain the status quo with the parking and the traffic flow. It was added by Mr. Mayo that

he had learned about this matter only last Thursday. It was clarified by Mr. William Beverly that he represents Escondido Mission Village, and their dealings have been primarily with Best's real property division manager who has made most of the decisions as related to tenant leases. Contacts with the Vice President in Charge of Real Estate of Best Products over a month ago, prior to the Planning Commission hearing, were made, but, unfortunately, it was not possible to schedule a meeting re: the parking plan and relocation of the driveway, until approximately one week ago, per Mr. Beverly. It was Mr. Beverly's impression from that meeting that they were, in principle, in agreement.

Mr. Stephen Kenninger, UMET counsel, stated, at this time, that in December, 1981, UMET contacted K-Mart, both the national office and the regional office, re: the subject plans; they have been reviewed and approved by them in writing.

Mr. Dwayne Lynch: "These people ran me out of business some time ago; they are in the process of doing that to every other merchant currently working in the Mall."

Mr. Ted Gooding, 4532 Ducan Street: Confirmed that there is no plan to take residential property across the street for parking purposes.

Mr. Brad Kaye, Best Products, Richmond, Virginia: His company is in favor of anything that will improve the situation; however, questioned the merit of the parking behind the building arrangement.

Mr. Dan Kaufman, 20105 Hawthorne Boulevard: Is opposed to any new additions to Old Towne Mall and Best Plaza; it is over-populated now and always will be -- rejection by the Council was requested.

Mr. Peter Lacombe, 3848 Carson Street, representing Title Insurance and Trust Company: Indicated agreement with proposed conditions -- there are many problems, and his client is doing its share to provide some relief.

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

Of considerable concern to the Council was the "\$1.00 per square foot donation," as related to the mitigation of traffic impacts, and the need for further review by the Council. Staff was directed to return with this policy matter as a regular agenda item.

Formal action taken by the Council is reflected below:

MOTION: Councilman Applegate moved to approve the cases considered under Item 17c -- V 82-2, UMET Trust (Old Towne Mall); CUP 82-18 and PP 71-14 (Modification), UMET Turst (Old Towne Mall); PP 78-27 (Modification), Escondido Mission Village, Ltd. (Best Plaza); and CUP 82-17 and CUP 82-16, Title Insurance and Trust Co. -- subject to all Planning Commission and Staff conditions, adding the following conditions:

(1) That the matter of the landscaping on Hawthorne Boulevard be worked out to the satisfaction of Staff;

(2) That the "\$1.00 per square foot donation" be held in abeyance until resolved by the City Council; and

(3) That security arrangements be subject to approval of the Police Department.

The motion was seconded by Councilman Rossberg, and roll call vote was unanimously favorable.

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

RESOLUTION NO. 82-138

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, GRANTING A VARIANCE FROM THE PROVISIONS OF DIVISION 9 OF THE TORRANCE MUNICIPAL CODE TO ALLOW LESS THAN CODE REQUIRED PARKING IN THE C-3 (PP) ZONE
AT 19800 HAWTHORNE BOULEVARD
V 82-2: THE UMET TRUST
(OLD TOWNE MALL)

Councilman Applegate moved for the adoption of Resolution No. 82-138, as above amended. His motion was seconded by Councilman Rossberg, and roll call vote was unanimously favorable.

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RESOLUTION NO. 82-139

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, DENYING AN APPEAL AND APPROVING A CONDITIONAL USE PERMIT TO ALLOW FOR THE RELOCATION AND OPERATION OF THE FOOD COURT IN THE OLD TOWNE MALL IN THE C-3 (PP) ZONE ON PROPERTY LOCATED AT 19800 HAWTHORNE BOULEVARD

CUP 82-18: THE UMET TRUST

Councilman Applegate moved for the adoption of Resolution No. 82-139, as amended. His motion was seconded by Councilwoman Geissert, and roll call vote was unanimously favorable.

RESOLUTION NO. 82-140

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, DENYING AN APPEAL AND APPROVING MODIFICATION OF A PRECISE PLAN OF DEVELOPMENT AS PROVIDED FOR IN DIVISION 9, CHAPTER 6, ARTICLE 2 OF THE TORRANCE MUNICIPAL CODE TO ALLOW ADDITION OF TWO MAJOR TENANTS, ARCHITECTURAL CHANGES TO THE EXTERIOR OF THE MALL, RESTRIPIING AND/OR REDESIGN OF SECTIONS OF THE PARKING LOT TO PROVIDE MORE PARKING, AND THE ADDITION OF A TRAM AT THE OLD TOWNE MALL IN THE C-3 (PP) ZONE ON PROPERTY LOCATED AT 19800 HAWTHORNE BOULEVARD

PP 71-14 (MODIFICATION): THE UMET TRUST

Councilwoman Geissert moved for the adoption of Resolution No. 82-140, as above amended. Her motion, seconded by Councilman Walker, was unanimously approved by roll call vote.

RESOLUTION NO. 82-141

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, DENYING AN APPEAL AND APPROVING MODIFICATION OF A PRECISE PLAN OF DEVELOPMENT AS PROVIDED FOR IN DIVISION 9, CHAPTER 6, ARTICLE 2 OF THE TORRANCE MUNICIPAL CODE TO ALLOW RESTRIPIING AND/OR REDESIGN OF SECTIONS OF THE PARKING LOT TO PROVIDE MORE PARKING AND PERMANENTLY MAINTAIN AN ADJACENT PARCEL ON HAWTHORNE BOULEVARD FOR PARKING PURPOSES FOR BEST PLAZA IN THE C-3 (PP) ZONE AT THE NORTHEAST CORNER OF HAWTHORNE BOULEVARD AND DEL AMO BOULEVARD

PP 78-27 (MODIFICATION): ESCONDIDO MISSION VILLAGE LIMITED

Councilman Walker moved for the adoption of Resolution No. 82-141, as above amended. His motion was seconded by Councilman Wilson; roll call vote was unanimously favorable.

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RESOLUTION NO. 82-142

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT TO ALLOW THE CONSTRUCTION OF AN 8,090 SQUARE FOOT FLORIST/COMMERCIAL BUILDING IN THE C-3 (PP) ZONE AT THE NORTHEAST CORNER OF HAWTHORNE BOULEVARD AND DEL AMO BOULEVARD
CUP 82-17: TITLE INSURANCE AND TRUST COMPANY

Councilman Wilson moved for the adoption of Resolution No. 82-142, as above amended. His motion was seconded by Councilman Applegate, and roll call vote was unanimously favorable.

RESOLUTION NO. 82-143

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT TO ALLOW THE CONSTRUCTION OF A 6,800 SQUARE FOOT SAVINGS AND LOAN BUILDING IN THE C-3 (PP) ZONE AT THE NORTHEAST CORNER OF HAWTHORNE BOULEVARD AND DEL AMO BOULEVARD
CUP 82-16: TITLE INSURANCE AND TRUST COMPANY

Councilman Applegate moved for the adoption of Resolution No. 82-143, as above amended. The motion was seconded by Councilwoman Geissert, and roll call vote was unanimously favorable.

Above Council action was clarified as follows: that there be appropriate security measures re: night protection, all security aspects to be to the satisfaction of the Police Department; that the "\$1.00 contribution" matter be returned for Council consideration; that the Director of Transportation communicate with Hawthorne Boulevard residents in this area re: problems reported by them; that Mr. Rubin's indication that the entertainment will be eliminated and his present cooperativeness become a part of the record as a "gentleman's agreement;" and the satisfactory resolution of landscaping arrangements on Hawthorne Boulevard.

It was the added request of Mayor Armstrong that the City Attorney check the possibility of establishing conditions on entertainment groups as well.

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The hour being 7:35 P.M., the Council recessed and reconvened as the Redevelopment Agency, returning to its agenda at 7:36 P.M. A 10-minute recess was then ordered by Mayor Armstrong.

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15d. CONTINUED HEARING ON UNION OIL COMPANY'S APPLICATION
to construct a 20-inch pipeline through the City of
Torrance.

Councilwoman Geissert announced that she would ABSTAIN in this matter inasmuch as her husband is employed by Union Oil Company, and then departed from the Council Chambers.

Mayor Armstrong announced that this was the time and place for the continued hearing in the matter of the Union Oil Company's application for a pipeline -- past history and areas of concern and consideration in this matter were reviewed by the Mayor and the City Attorney.

Comments were then invited by Mayor Armstrong.

Representing Union Oil Company, Mr. Loren Grandee, 461 South Boylston Street, Los Angeles, reaffirmed his company's interest in this project; the pipeline is needed to serve Union Oil Company's customers in this distribution area. The safety features of the pipeline have been well documented, per Mr. Grandee, and a favorable decision by the Council was urged.

The analysis re: the Shell Oil Company pipeline in Santa Monica provided by Mr. John Bailey, representing "Stop the Pipeline in Torrance," was noted by City Attorney Remelmeyer. In response to Mr. Remelmeyer's question regarding same, Mr. Grandee advised that he had only received the analysis yesterday; however, it is his understanding that this pipeline is very different from that proposed by Union Oil Company.

Attorney Walter Krim, representing Union Oil Company, stated that he has read the subject analysis -- this analysis, however, is for a pipeline that was designed to operate in a hilly terrain and the recommended mitigation measures apply to a 40-year old pipeline.

Councilman Applegate voiced his concerns pertaining to (1) the timetable, and was advised by Mr. Grandee that it is proposed to start construction in approximately four months with completion, hopefully, by summer; and (2) the reluctance of Union Oil to put in an application for a new franchise.

Mr. Krim responded to (2), stating that when the pipeline application was originally made, the franchise had 2½ years to run, and Union Oil believes that they do have the right to continue to supply their product to the Southern California area as well as markets in Southern Nevada and Arizona -- in his opinion, this is not just a municipal issue but is a larger issue. Because of this, Mr. Krim continued, Union Oil Company feels that they have the right to receive their excavation permits, and this right does not predicate that Union go ahead and negotiate for a new franchise at this time.

Mr. Krim further stated Union's understanding that they have no guarantee regarding the new franchise -- it is felt that reason will prevail -- a new franchise will have to be granted because of the paramount interest of the United States in a national energy program. It is a matter of priority and principle, per Mr. Krim.

At the request of Councilman Walker, City Attorney Remelmeyer clarified the impact of Resolution "B" which would direct the City Attorney to bring action in court to determine the City's rights and duties relative to the subject application.

Representing SPIT and SETHA, Mr. John Bailey, 23404 Walnut Street, reaffirmed the substantial concerns of the affected residents, of record; commented on, and offered corrections to statements made by Union Oil, of record; offered current statistics pertaining to gasoline consumption; etc. Slides of the Union Oil tank farm on Lomita Boulevard were then presented by Mr. Bailey and needed improvements were pointed out.

In conclusion, Mr. Bailey requested that the Council exercise its long established right to control the safety and the use of public property in Torrance, and to deny Union Oil Company the permit to construct the pipeline. It is obvious, per Mr. Bailey, from the amount of public outcry that the pipeline is in conflict with the community goals; therefore, Resolution "B" is supported.

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 Walker, and roll call vote was unanimously favorable, with Councilwoman Geissert abstaining.

The MAIN MOTION to adopt Resolution "B" carried, with roll call vote as follows:

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

RESOLUTION NO. 82-144

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING AND DIRECTING THE CITY ATTORNEY TO BRING AN ACTION IN COURT TO DETERMINE THE CITY'S RIGHTS AND DUTIES WITH REFERENCE TO UNION OIL COMPANY'S APPLICATION FOR A PERMIT TO CONSTRUCT A PIPELINE ALONG A CERTAIN ROUTE; AND APPROPRIATING THE SUM OF \$50,000 THEREFOR

Councilman Applegate moved for the adoption of Resolution No. 82-144. His motion was seconded by Councilman Walker, and carried, with roll call vote as follows:

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

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The hour being 9:10 P.M, a 10-minute recess was ordered by Mayor Armstrong. (Councilwoman Geissert returned to the Council Chambers on resumption of the meeting at 9:20 P.M.)

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15e. SECOND PUBLIC HEARING AND ADOPTION OF THE CITY
MANAGER'S 1982-83 PROPOSED BUDGET.

Mayor Armstrong announced that this was the time and place for the Second Public Hearing re: the City Manager's Proposed 1982-83 Proposed Budget.

Affidavit of Publication was presented by City Clerk Babb. Councilman Applegate moved that it be received and filed. His motion was seconded by Councilman Walker; roll call vote was unanimously favorable.

Mayor Armstrong then inquired if anyone wished to be heard. Speakers were:

Mr. Ollie Harrison, 5115 Scott Street: Protested the rubbish collection fees -- these costs should come out of the General Fund, not "a discriminatory tax against the private homeowner." The Rubbish Department should also be investigated, to the end that that department might be eliminated, per Mr. Harrison.

Ms. Mary Cooper, Chairman, Library Commission: Noted the absence of the circulation system item for the Library. Assistant City Manager Jackson responded that the funds are still in the budget; the City Manager will be returning shortly with a report related to the cost effectiveness. etc. At Library Commissioner Cribbs' specific question, it was stated by Mr. Jackson that \$60,000 has been carried over and it has been assigned specifically to the use of the development of the automated circulation system; the possible expansion of that funding has also been considered through the use of the cable TV monies available for a data base.

Mr. Ernie Prevost, 23026 Dana Court, president, Torrance Area Youth Band: Requested approval of their desired raise in funding allocation, and cited the increasing costs of operation which present a hardship.

Discussion was directed to the "Homeworks" program, with formal Council action as follows:

MOTION: Councilman Rossberg moved for the continuance of the "Homeworks" program for one year at a cost of \$104,000.00. The motion was seconded by Councilman Applegate, and roll call vote was unanimously favorable.

It was the request of Councilman Applegate that Staff return with this item with a status report at that time.

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 Wirth, and roll call vote was unanimously favorable.

Formal Council action was as follows:

MOTION: Councilman Applegate moved to eliminate the Utility Users' Tax on water for residential use. The motion was seconded by Councilman Rossberg, but FAILED TO CARRY, with roll call vote as follows:

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

MOTION: Councilman Walker moved to concur with the request of the City Clerk for an additional .5 Senior Typist Clerk position at a cost of \$11,316. The motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

RESOLUTION NO. 82-145

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR 1982-83

Councilman Wilson moved for the adoption of Resolution No. 82-145, as above amended. His motion was seconded by Councilman Applegate, and roll call vote was unanimously favorable.

ORDINANCE NO. 3043

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING THE PROVISIONS OF SECTION 41.3.2 OF THE TORRANCE MUNICIPAL CODE RELATING TO THE ANNUAL DOG LICENSE FEE AND PRORATION THEREOF AND DECLARING THE PRESENCE OF AN EMERGENCY

Councilman Wilson moved for the adoption of Emergency Ordinance No. 3043 at its first and only reading. His motion was seconded by Councilman Wirth, and carried, with roll call vote as follows:

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

RESOLUTION NO. 82-146

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE REPEALING RESOLUTION NO. 78-102 IN ITS ENTIRETY ESTABLISHING THE RATES FOR REFUSE COLLECTION AND SUBSTITUTING THIS NEW RESOLUTION THEREFOR WHICH ESTABLISHES NEW RATES FOR REFUSE COLLECTION

Councilman Applegate moved for the adoption of Resolution No. 82-146. His motion was seconded by Councilman Walker, and roll call vote was unanimously favorable.

RESOLUTION NO. 82-147

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE RESCINDING SECTION IV RELATING TO CHARTER SERVICE FARES AND ESTABLISHING NEW CHARTER SERVICE FARES

Councilman Wilson moved for adoption of Resolution No. 82-147. His motion was seconded by Councilman Walker, and roll call vote was unanimously favorable.

RESOLUTION NO. 82-148

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE RESCINDING SECTION 2 OF RESOLUTION NO. 80-126 RELATING TO POLICE DEPARTMENT FEES AND ESTABLISHING NEW POLICE DEPARTMENT FEES

Councilman Applegate moved for adoption of Resolution No. 82-148. His motion was seconded by Councilman Walker, and roll call vote was unanimously favorable.

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

17. ADMINISTRATIVE MATTERS:

17f. RESOLUTION adopting the annual appropriations limit for the 1982-83 Fiscal Year.

RESOLUTION NO. 82-149

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE APPROVING AND ADOPTING THE ANNUAL APPROPRIATIONS LIMIT FOR THE FISCAL YEAR
1982-83

Councilman Applegate moved for the adoption of Resolution No. 82-149. His motion was seconded by Councilman Walker, and roll call vote was unanimously favorable.

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17g. 1981-82 GENERAL FUND RESERVES.RECOMMENDATION OF FINANCE DIRECTOR:

Staff recommends the following action relative to June 30, 1982 year-end General Fund Reserves:

1. Ratify the reserves as listed under "Analysis," per June 24th communication, of record.
2. Adopt subject resolution directing that any unencumbered or unappropriated balance in the General Fund as of June 30, 1982 be automatically appropriated into the Contingencies Reserve.

RESOLUTION NO. 82-150

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE DIRECTING THAT ANY UN-ENCUMBERED OR UNAPPROPRIATED BALANCE IN THE GENERAL FUND AS OF JUNE 30, 1982 SHALL BE AUTOMATICALLY APPROPRIATED INTO THE
RESERVE FOR CONTINGENCIES

Councilman Wilson moved to concur with the above stated recommendation of the Finance Director and for the adoption of Resolution No. 82-150. His motion was seconded by Councilman Applegate, and roll call vote was unanimously favorable.

The Council now returned to:

17. ADMINISTRATIVE MATTERS:17a. EXECUTIVE SESSION re: hours, wages, working conditions.

See Page 25.

17b. RESOLUTION re: Agreement with Daily Breeze for Legal Advertising.RESOLUTION NO. 82-151

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST THAT CERTAIN AGREEMENT FOR ADVERTISING BETWEEN THE CITY OF TORRANCE AND THE DAILY BREEZE FOR THE FISCAL YEAR 1982-83

Councilman Applegate moved for the adoption of Resolution No. 82-151. His motion, seconded by Councilman Rossberg, was unanimously approved by roll call vote.

- 17c. APPROVAL OF ASSESSMENT TO MEADOW PARK REDEVELOPMENT PROJECT LOT OWNERS FOR MAINTENANCE OF ADJACENT PARKING SPACES IN THE PARKING DISTRICT FOR 1982-83.

DEPARTMENT OF TRANSPORTATION RECOMMENDATION:

That your Honorable Body approve the eighth year (Fiscal Year 1982-83) assessment of \$17,018 for maintenance of the parking district spaces in the Meadow Park Redevelopment Project, and that the appropriate lot owners be billed.

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

- 17d. SELECTION OF AN ARCHITECTURAL FIRM FOR THE PRELIMINARY DESIGN OF A MASTER PLAN FOR THE JOSLYN CENTER EXPANSION PLAN AND CABLE TELEVISION FACILITY.

RECOMMENDATION:

The City Manager, Capital Projects Administrator and Parks and Recreation Director recommend that your Honorable Body authorize Staff to contract with H. Wendell Mounce, A.I.A. and Associates for the preliminary design of Joslyn Center expansion, a community theatre and cable television facilities for a price not to exceed \$90,000. In addition, Staff recommends that you appropriate \$90,000 from the General Fund Capital Reserves for this purpose. The current balance in the Reserve is \$275,962.

MOTION: Councilman Applegate moved to HOLD THIS ITEM FOR ONE WEEK. The motion was seconded by Councilman Wirth, and roll call vote was unanimously favorable.

- 17e. PURCHASE OF FIRE/PROPERTY INSURANCE FOR PERIOD JULY 1, 1982 TO JULY 1, 1983.

RECOMMENDATION OF CITY MANAGER:

City Council approval to continue fire/property coverage with Protective National Insurance Company (\$1,000 deductible on all items except vehicles and mobile equipment; \$10,000 deductible) for the period July 1, 1982 to July 1, 1983, at an annual cost of \$45,201.00, and earthquake and flood coverage on scheduled buildings for the same period at an annual premium of \$16,066. Total cost for the protection is \$61,267.00. Funds for this insurance are included in the 1982-83 proposed budget.

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

17f. Resolution adopting annual appropriations limit for the 1982-83 Fiscal Year.

See Page 19.

17g. Ratification of 1981-82 General Fund Reserves.

See Page 20.

20. CONSENT CALENDAR:

20a. AWARD OF CONTRACT - Lomita Boulevard from Hawthorne Boulevard to Garnier Street (B82-34) FAU-MLO29(5).

RECOMMENDATION OF CITY ENGINEER:

That the contract be awarded to Fleming Engineering, Inc. and all other bids be rejected.

20b. PURCHASE OF ONE (1) REPLACEMENT "SPECIAL USE" VEHICLE -
Expenditure: \$5,724.00

RECOMMENDATION OF PURCHASING AGENT/EQUIPMENT SUPT.

That Council approve of the purchase of the final replacement vehicle of this type for this year from Chaffey Motors of Hawthorne in the total amount of \$5,724.00, including tax.

FUNDING:

Funding for this program will be from the City Equipment Revolving Fund with proceeds from the sale of the vehicle taken out of service to likewise be returned to that same fund.

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

21. ADDENDA ITEMS:

21a. Resolution re: Proposed Vacation of a Portion of Rolling Hills Road, Madison Street and a Portion of a "Future Street" adjacent to Madison Street.

See Page 7.

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21b. RESOLUTION commending Mr. Jack Bauman.

RESOLUTION NO. 82-118

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF TORRANCE COMMENDING MR. JACK BAUMAN
ON HIS SELECTION AS NURSERYMAN OF THE YEAR

Councilman Wilson moved for the adoption of Resolution No.
82-118. His motion was seconded by Councilman Applegate, and
roll call vote was unanimously favorable.

21c. RESOLUTION commending Firm J. Hansen.

RESOLUTION NO. 82-133

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF TORRANCE COMMENDING FIRN J. HANSEN
FOR HER YEARS OF DEDICATED SERVICE TO THE
CITY OF TORRANCE

Councilman Applegate moved for the adoption of Resolution
No. 82-133. His motion, seconded by Councilwoman Geissert, was
unanimously approved by roll call vote.

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22. ORAL COMMUNICATIONS:

22a. City Manager Ferraro acknowledged the concerns expressed by the Council earlier in the meeting relative to the "voluntary \$1.00 square foot donation" (Item 15c), and stated that it now appears that Staff has been "too enthusiastic" in this matter. An enabling ordinance is now being processed through the City Attorney's office, per Mr. Ferraro, and will be before the Council in the near future, to stand or fall on its own merit.

Continuing, it was stated by Mr. Ferraro that the City has collected some money from Garrett AiResearch -- now there are guilt pangs, and it is his desire to refund that money to this company. It is not fair that Garrett AiResearch be the "pioneers" in such a program, and such refund would show good faith on the part of the City, according to the City Manager.

MOTION: Councilman Rossberg moved to concur with the above stated request of the City Manager re: refund of "voluntary donation" to Garrett AiResearch. The motion was seconded by Councilman Walker, and roll call vote was unanimously favorable.

22b. Parks and Recreation Director Barnett reported on the current status of the Madrona Marsh funding (the Ryan Bill allocation); it appears that the funds will be forthcoming.

22c. City Attorney Remelmeyer advised that further research of the matter of an Executive Session re: the selection of the City physician has revealed that this would not be in order, based on his study of the law. However, per Mr. Remelmeyer, the Council could appoint a committee of three of its members who can meet in private to receive desired Staff input -- the results could then be conveyed to the full body of the Council.

22d. Parks and Recreation Director Barnett reviewed the activities scheduled for the forthcoming 4th of July celebration at Wilson Park -- Mr. Barnett also expressed appreciation for the substantial Staff support received in the formulation of this event.

22e. Councilman Applegate noted difficulties incurred with the new telephone system which, hopefully, can be ironed out in an expeditious manner.

22f. Councilman Applegate suggested that signs be posted in the fireworks booths stating that fireworks can only be used on private property.

22g. Councilwoman Geissert requested Staff input re: the state of the recycling centers in the City.

22h. Councilman Wilson announced that the Quarterly General Membership Meeting of the Independent Cities is scheduled for July 15th at the Los Angeles County Fairgrounds.

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17a. EXECUTIVE SESSION:

At 10:30 P.M. the Council recessed for an Executive Session re: hours, wages and working conditions, returning at 11:00 P.M. No action was taken.

The meeting was regularly adjourned at 11:00 P.M.

* * * * *

Ava Cripe
Minute Secretary

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Mayor of the City of Torrance


City Clerk of the City of Torrance