

I N D E X

Torrance City Council - October 16, 1984

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Adjournment was at 7:35 p.m.

#

Peggy Laverty
Minute Secretary

ii.

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Prepared by Office of City Clerk
DONNA M. BABB, CITY CLERK

October 16, 1984

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, October 16, 1984, at 5:30 p.m., in the Council Chambers at Torrance City Hall.

2. ROLL CALL:

Present: Councilmembers Applegate, Geissert, Mock, Nakano, Walker, Wirth and Mayor Armstrong.

Absent: None.

Also present: City Manager Jackson and staff representatives.

3. FLAG SALUTE:

The salute to the flag was led by Mr. Bill Schurmer, Automobile Club of Southern California.

4. INVOCATION:

The invocation for the meeting was provided by Reverend Tom Rothhaar, Walteria United Methodist Church.

STANDARD MOTIONS:

5. APPROVAL OF MINUTES:

Councilman Applegate moved for adoption of the City Council minutes of September 25, 1984, as recorded. His motion was seconded by Councilwoman Geissert, and roll call vote proved unanimously favorable.

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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:

Ad Hoc Committee
Tuesday, October 23, 1984, 5:00 p.m.
3rd Floor Assembly Room
Subject: Service Contract with Chamber of Commerce

* * *

Mayor Armstrong announced with sadness the passing of Mr. Bill Brase and Mr. Peter Eriksen, and requested that this meeting be adjourned in their memories.

* * *

Mayor Armstrong noted, at this time, that Agenda Item 15a, CUP 72-40 (Mod), Foodmaker, Inc. has been WITHDRAWN.

* * *

8. COMMUNITY MATTERS:

8a. Recognition of Employees in Pool Rescue:

Mayor Armstrong presented certificates of commendation to Lifeguard Dan Sprague and Assistant Pool Manager Susie Martin for their efforts in rescuing Stephen Saracco II from a near fatal drowning accident.

8b. Presentation of Pedestrian Safety Citation.

Mr. Bill Schurmer, District Manager of the Automobile Club of Southern California, presented to the Mayor and Council a special citation for pedestrian safety in the City of Torrance.

8c. Proclamation - "High School Activities Week in Torrance."

So proclaimed by Mayor Armstrong (week of October 15-20).

8d. Appointments to Commission Vacancies.

Heard later in the meeting - see Page 12.

8e. Presentation to City Engineer.

In recognition of his twenty-five years of service to the City of Torrance, City Engineer Gene Bourbonnais was presented a watch by Mayor Armstrong on behalf of the Council and the City.

This memento of his years of service to the City was accepted with sincere appreciation by Mr. Bourbonnais.

10. TRANSPORTATION/PUBLIC WORKS MATTERS:

10a. Resolution re Fund Exchange with City of San Marino.

RESOLUTION NO. 84-284

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF TORRANCE AUTHORIZING
EXECUTION OF AN AGREEMENT FOR AN
EXCHANGE OF FUNDS WITH THE CITY
OF SAN MARINO

MOTION: Councilwoman Geissert moved for the adoption of Resolution No. 84-284. Her motion, seconded by Councilman Nakano, was unanimously approved by roll call vote.

11. POLICE AND FIRE MATTERS:

11a. Ordinance Regulating Licensing of Massage or Accupressure Establishments.

ORDINANCE NO. 3121

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE, AMENDING SECTION 32.1.24 OF THE TORRANCE MUNICIPAL CODE DEALING WITH LICENSE FEES FOR MASSAGE OR ACCUPRESSURE ESTABLISHMENTS, AND ADDING AN ARTICLE 11 TO CHAPTER 5 OF DIVISION 3, OF THE TORRANCE MUNICIPAL CODE PERTAINING TO THE REGULATION AND LICENSING OF MASSAGE OR ACCUPRESSURE ESTABLISHMENTS

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MOTION: Councilwoman Geissert moved for the approval of Ordinance No. 3121 at its first reading. Her motion was seconded by Councilman Walker.

Prior to roll call vote, Assistant City Attorney Quale advised, in response to an inquiry by Councilman Wirth, that existing licensees will be notified following formal adoption of the ordinance, at which time those licensees will be given full opportunity to comply**

Councilman Wirth expressed concerns that those existing licensees should be notified in order that they might have an opportunity to review the proposed ordinance prior to its adoption.

The above motion for approval of Ordinance No. 3121, carried by way of the following roll call vote:

AYES: COUNCILMEMBERS: Applegate, Geissert, Mock, Nakano, Walker and Mayor Armstrong.

NOES: COUNCILMEMBERS: Wirth.**

**NOTE: See Page 13, for clarification by Councilman Wirth as to his negative vote and also for reconsideration of the proposed notification procedure. (Item 22e, Page 13).

11b. Ordinance Regulating Licensing of Massage or Accupressure Technicians.

ORDINANCE NO. 3122

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE ADDING A NEW ARTICLE 12, TO CHAPTER 5, DIVISION 3, OF THE TORRANCE MUNICIPAL CODE, REGULATING THE LICENSING AND CONDUCT OF MASSAGE OR ACCUPRESSURE TECHNICIANS

MOTION: Councilwoman Geissert moved for the approval of Ordinance No. 3122 at its first reading. Her motion was seconded by Councilman Walker, and carried by way of the following roll call vote:

AYES: COUNCILMEMBERS: Applegate, Geissert, Mock, Nakano, Walker and Mayor Armstrong.

NOES: COUNCILMEMBERS: Wirth.

13. ENVIRONMENTAL/BUILDING AND SAFETY MATTERS:

13a. Modification to Temporary Sign Ordinance.

RECOMMENDATION:

The Environmental Quality and Energy Conservation Commission and staff recommend that this item be referred to the Council Committee on Community Planning and Design to allow possibility for further discourse between members of the community and City Council on the proposed changes.

In response to Mayor Armstrong's invitation for comments on this item from the audience, Mr. Larry Poeske, representing the Torrance/Lomita/Carson Board of Realtors, requested that he be given one week's advance notice of a scheduled Committee meeting.

It was the request of Councilman Applegate that the Committee discuss the matter of banners across roadways at certain selected sites within the City, to be followed by review by the full Council at the time the item is returned.

MOTION: Councilman Applegate moved to concur with the recommendation to refer Agenda Item 13a. to the Council Committee on Community Planning and Design. His motion was seconded by Councilman Walker, and carried without objection.

14. PERSONNEL MATTERS:

14a. Resolution re JTPA Fiscal Year 1985 Vocational Training Subcontracts.

RESOLUTION NO. 84-285

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING AND DIRECTING THE MAYOR AND THE CITY CLERK TO EXECUTE AND ATTEST THESE CERTAIN CONTRACTS BETWEEN THE CITY OF TORRANCE AND GOLDEN STATE CABLE TRAINING CONSORTIUM AND CONTROL DATA CORPORATION

MOTION: Councilman Mock moved for the adoption of Resolution No. 84-285. His motion was seconded by Councilwoman Geissert, and roll call vote proved unanimously favorable.

* * *

14b. Resolution re FY 1985 Exemplary Youth Program Funding.

RESOLUTION NO. 84-286

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING AND DIRECTING THE MAYOR AND THE CITY CLERK TO EXECUTE AND ATTEST THESE CERTAIN CONTRACTS BETWEEN THE CITY OF TORRANCE AND TORRANCE UNIFIED SCHOOL DISTRICT AND LOS ANGELES UNIFIED SCHOOL DISTRICT

MOTION: Councilman Nakano moved for the adoption of Resolution No. 84-286. His motion, seconded by Councilman Walker, was unanimously approved by roll call vote.

14c. Resolution re Compliance with Handicapped Discrimination Regulations.

RESOLUTION NO. 84-287

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE DIRECTING COMPLIANCE WITH HANDICAPPED DISCRIMINATION REGULATIONS TO MAINTAIN ELIGIBILITY FOR FEDERAL REVENUE SHARING FUNDS

MOTION: Councilwoman Geissert moved for the adoption of Resolution No. 84-287. Her motion was seconded by Councilman Nakano, and roll call vote proved unanimously favorable.

15. HEARINGS:

15a. CUP 72-40 (Mod.), Foodmaker, Inc.

Mayor Armstrong announced receipt of a request from the proponent for withdrawal of Agenda Item 15a, an appeal of Planning Commission approval of a modification of CUP 72-40 to allow an addition to an existing Jack-in-the-Box Restaurant located in the C-2 and P-1 zones at 17916 Hawthorne Boulevard.

MOTION: Councilman Wirth moved to concur with the proponent's request for WITHDRAWAL. His motion was seconded by Councilman Walker, and carried without objection.

* * *

15b. CUP 84-36, Gary Lazar (California Target).

Mayor Armstrong announced that this was the time and place for the public hearing in the matter of an appeal of Planning Commission approval of a Conditional Use Permit to operate a self-service gas station with a mini-market in the C-2 zone at 4102 Sepulveda Boulevard, CUP 84-36, GARY LAZAR (CALIFORNIA TARGET).

Proof of publication was presented by City Clerk Babb, and it was ordered filed, there being no objection.

RECOMMENDATION OF PLANNING DEPARTMENT:

While staff recognizes that demolition of the existing service station and construction of a new facility would be the ideal situation, the proposed improvements would upgrade the site, and staff, therefore, concurs with the Planning Commission recommendation for approval of CUP 84-36.

Staff presentation was provided by Planning Associate Bihn, following which Councilman Mock requested clarification and expansion regarding the Police Department's comment that the area may be becoming "over saturated" with liquor stores. Police Lt. Hone advised that approval of the subject request would result in two Alcoholic Beverage Control licensees "practically on top of each other," and further noted that the ABC recommends (based on census data, etc.) that the City of Torrance contain 95 package liquor stores and 165 on-sale establishments -- Torrance currently has 136 such package stores and 198 on-sale licenses, per Lt. Hone.

Councilman Applegate expressed his opinion that the subject mini-market will represent a convenience stop, rather than a trip to a liquor store. Mr. Applegate questioned, if the City of Torrance significantly exceeds the number of such establishments recommended by the ABC, why this particular instance should be "the straw that breaks the camel's back" -- further, would all such future requests be denied?

Representing the applicant, Ms. Grace Leise, addressed the proposed mini-market operation from a convenience standpoint and the apparent significance of the liquor sales in such facilities. Ms. Leise advised that the proponent has operations similar to this proposal in the cities of Stanton and Inglewood.

Next to speak was Mr. Charles Webber, owner of the apartment building adjacent to the subject location. Mr. Webber expressed concerns regarding noise and loitering at the subject location, and requested that a condition be imposed restricting hours of operation.

Mr. Bill Darnell, 4262 Campus Drive, Newport Beach, consultant for the applicant, described the mitigation measures proposed relating to noise (improved traffic circulation; block wall along the rear property line; etc.) and advised that Mr. Lazar's operations do not encourage loitering.

Further clarification was provided by Ms. Leise who advised that deliveries would be made during the day from vans or pickup-type vehicles, and proposed hours of operation are: Monday - Friday 5:00 a.m. to 11:00 p.m.; Saturday 6:00 a.m. to 11:00 p.m.; and Sunday 7:00 a.m. to 9:00 p.m. Ms. Leise also advised the Council that the proponent, California Target, has two existing stations in the City of Torrance WITHOUT mini-markets, one at Crenshaw and Carson and one at Pacific Coast Highway and Hillworth.

Councilman Walker indicated his desire to visit the existing facilities and would propose that this matter be held for that purpose.

At this time Mr. Webber returned to the podium and pointed out problems with the previous service station at the subject location in that gasoline deliveries occurred at approximately 3:00 a.m., disturbing his tenants. This speaker requested that such deliveries be restricted to hours of operation, and also requested that those hours of operation be established from 6:00 a.m. to 11:00 p.m.

There being no further audience comments, Councilman Walker moved to close the hearing. His motion was seconded by Councilman Applegate, and roll call vote was unanimously favorable.

Mayor Armstrong deemed the subject proposal a small convenience market, rather than a liquor store, as such, and pointed out that this is an opportunity to substantially upgrade the property which, at the present time, would have to be judged an attractive nuisance.

Councilman Walker agreed; however, he reiterated his desire to visit existing facilities, and offered the following --

MOTION: Councilman Walker moved to hold Agenda Item 15b for a two-week period, with a request that the applicant provide the Council with specific addresses of comparable operations. His motion was seconded by Councilman Mock.

Councilman Wirth indicated his support of the above motion and stated, for the record, that he has serious concerns regarding the subject location with a liquor store next door which has had a number of serious crime incidents. Mr. Wirth also noted his concerns regarding the trend of the gas station/mini-market combinations.

Mayor Armstrong indicated his opposition to the motion as stated, noting his opinion that if it is felt that there is a problem in terms of the number of licenses issued in the City of Torrance, the appropriate procedure at this time would be to act on this proposal on its own merits and then direct staff to prepare a study for future consideration.

Councilwoman Geissert concurred with the Mayor's above comments, pointing out that most markets in the City of Torrance contain substantial liquor sections and it is not equated with crime or loitering. Mrs. Geissert would support restrictions on delivery hours for both the mini-market and the gasoline station, as well as hours of operation for both facilities.

A SUBSTITUTE MOTION was offered by Councilman Applegate for denial of the appeal and approval of CUP 84-36, with the following added conditions:

- ° Hours of operation to be 6:00 a.m. to 11:00 p.m.
- ° There shall be no deliveries of any type to the station other than during hours of operation.

The motion was seconded by Councilwoman Geissert, and carried by way of the following roll call vote:

AYES: COUNCILMEMBERS: Applegate, Geissert, Nakano
and Mayor Armstrong..

NOES: COUNCILMEMBERS: Mock, Walker and Wirth.

RESOLUTION NO. 84-288

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT TO ALLOW THE REMODELING AND OPERATION OF A SELF-SERVE GAS STATION WITH A MINI-MARKET IN THE C-2 ZONE ON PROPERTY LOCATED AT 4100 SEPULVEDA BOULEVARD
CUP 84-36: GARY LAZAR (CALIFORNIA TARGET)

MOTION: Councilman Applegate moved for the adoption of Resolution No. 84-288, as modified. His motion, seconded by Councilwoman Geissert, carried as shown below:

AYES: COUNCILMEMBERS: Applegate, Geissert, Nakano
and Mayor Armstrong.

NOES: COUNCILMEMBERS: Mock, Walker and Wirth.

17. ADMINISTRATIVE MATTERS:17a. Executive Session re Litigation.

See Page 12.

17b. Renewal of Airport Liability Insurance.RECOMMENDATION OF CITY MANAGER:

The City Manager respectfully requests Your Honorable Body to concur with the renewal of the 1984-1985 Airport Liability Insurance with the Puritan Insurance Company and Lloyds of London for first dollar to \$20,000,000 limits of coverage at a cost of \$12,802.30 per year.

Funds for the above insurance have been included in the 1984-1985 budget.

MOTION: Councilman Applegate moved to concur with the above recommendation of the City Manager. His motion, seconded by Councilwoman Geissert, was unanimously approved by roll call vote.

17c. Resolution re Self Insured Liability Claims.RESOLUTION NO. 84-289

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING AND DIRECTING THE MAYOR AND THE CITY CLERK TO EXECUTE AND ATTEST AN AMENDMENT TO THE SERVICE AGREEMENT BETWEEN THE CITY AND R. L. KAUTZ AND COMPANY FOR THE LATTER TO PERFORM THE GENERAL LIABILITY CLAIMS SERVICING

MOTION: Councilwoman Geissert moved for the adoption of Resolution No. 84-289. Her motion, seconded by Councilman Nakano, was unanimously approved by roll call vote.

17d. Purchase of Liability Insurance for Policies Expiring October 21, 1984.RECOMMENDATION OF CITY MANAGER:

The City Manager respectfully requests Your Honorable Body to concur in the purchase of 1984-1985 liability insurance as follows:

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1. Accept First State Insurance Company for Comprehensive General and Automobile insurance at \$500,000 self insured retention to \$20,000,000 at an annual premium of \$158,490;
2. Include Los Angeles County-Torrance Civic Center Authority and Torrance Public Facilities Building Corporation first dollar to \$500,000 liability coverage in the City's General and Automobile Liability policy, above; and
3. Accept Cal-Surance Associate, Inc., flat fee proposal for liability brokerage services for the period October 1, 1984 to October 1, 1985 in an amount increased from \$7,000 to \$15,000.

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

Councilwoman Geissert requested additional information relative to the options available to the City should future insurance premiums increase markedly. City Manager Jackson advised that staff will follow through.

20. CONSENT CALENDAR:

- 20a. Notice of Completion - Madrona Avenue adjacent to Delthorne Park (B84-11).

RECOMMENDATION OF CITY ENGINEER:

That the work be accepted and final payment be made to the contractor, Excel Paving Co.

- 20b. Council Approval - "Special Use" Vehicle
EXPENDITURE: \$8,428.18

RECOMMENDATION OF PURCHASING AGENT/EQUIPMENT SUPERINTENDENT:

It is recommended that Council approve of the purchase of replacement "Special Use" vehicle from AVIS USED CAR SALES, the outlet for Avis Car Rental Company, for the total amount of \$8,428.18 including tax.

FUNDING:

Funding for this program is 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.

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MOTION: Councilman Applegate moved to concur with staff recommendations on Agenda items 20a, and 20b. His motion was seconded by Councilman Walker, and roll call vote was unanimously favorable.

* * *

At 6:35 p.m., the Council recessed and reconvened as the Redevelopment Agency of the City of Torrance, returning to the Council agenda at 6:36 p.m.

* * *

17a. Executive Session re Litigation.

At 6:40 p.m., the City Council recessed to an Executive Session, returning at 7:00 p.m., to take the following action.

MOTION: Councilman Applegate moved to concur with the City Attorney's recommendation in settlement of the Jeter vs. City of Torrance case. His motion, seconded by Councilman Mock, carried unanimously by roll call vote.

The Council now returned to --

8d. Appointments to Commission Vacancies.

By unanimous ballot the Council made the following appointments to Commission vacancies.

Civil Service Commission:

Marcia Cribbs

Environmental Quality and Energy Conservation Commission:

Bill Wright
Willis Delperdang

The Council's regular Agenda order was resumed at this time.

22. ORAL COMMUNICATIONS:

22a. Councilman Applegate announced the October 20 dinner at Del Conte's honoring Mr. Larry Rosen, former Executive for the Torrance/South Bay Family YMCA.

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22b. Councilwoman Geissert requested appropriate Council recognition for Ms. Charlotte Lobb upon her being named a Volunteer of the Year by the Association of California and Nevada Volunteer Centers.

22c. Councilman Mock requested an update regarding Cable scheduling for mobile home parks, as well as other installation problem areas. Staff to follow through.

22d. Councilman Nakano highly commended the Historic Torrance publication, noting particularly the courageous stand of the City Council in reaffirming their confidence in the loyalty of the Japanese-American citizens of the City of Torrance some five days after the Japanese attack on Pearl Harbor.

22e. Referencing Agenda Items 11a and 11b, Councilman Wirth advised that his negative vote was because of his concern that existing establishments of the nature affected by the ordinance had not been notified of this pending legislation. Mr. Wirth expressed his desire that these businesses be notified prior to the second reading of the ordinance by the Council, with like notice to take place prior to consideration of any similar cases in the future.

22f. Mayor Armstrong announced the passage, by both Houses, of the Cable Communications Bill, commending especially the efforts of Councilman and former Mayor of Lakewood, Mr. Paul Zeltner, in this regard.

22g. The anticipation of more stringent air quality emission standards for off-shore drilling was noted by Mayor Armstrong.

22h. City Clerk Babb established January 29, 1985, for a portrait sitting for the Council.

* * *

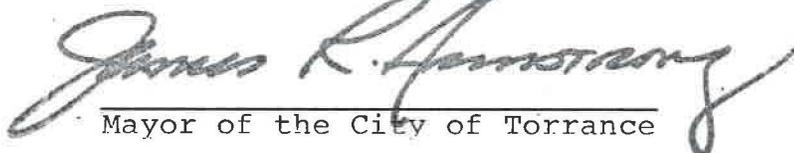
At 7:35 p.m., there being no further business, the meeting was regularly adjourned. Adjournment was dedicated to the memories of Mr. Peter Eriksen and Mr. Bill Brase.

* * *

Peggy Laverty
Minute Secretary

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Mayor of the City of Torrance


City Clerk of the City of Torrance