

I N D E XTorrance City Council - February 19, 1985

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Adjournment at 7:37 p.m.

#

Peggy Laverty
Minute SecretaryCity Council
February 19, 1985

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

February 19, 1985

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, February 19, 1985, 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, City Attorney Remelmeyer and staff representatives.

3. FLAG SALUTE AND INVOCATION:

Ms. Maggie Bakovic, Torrance Parks and Recreation Department, led in the salute to the flag.

Mayor Armstrong extended the sincere congratulations of the Council to Ms. Bakovic on this, her 25th anniversary with the City of Torrance.

The invocation for the meeting was provided Reverend Frank Morley, Church of the Nazarene.

4. ANNOUNCEMENT OF WITHDRAWN OR DEFERRED AGENDA ITEMS:

Item 10a - to be held one week.
Item 10b - to be returned in two weeks.
Redevelopment Agency Item 3b - postponed.

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STANDARD MOTIONS:5. APPROVAL OF MINUTES:

MOTION: Councilman Applegate moved for adoption of the City Council minutes of January 15, 1985. His motion, seconded by Councilman Walker, was unanimously approved by roll call vote.

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:

Community Planning and Design Committee
Wednesday, February 20, 1985, 10:30 a.m.
Subject: Hillside Tour with certain Planning Commissioners.

Finance Committee
Monday, February 25, 1985, 4:30 p.m.
Subject: Midyear Budget Review

8. COMMUNITY MATTERS:8a. RECOGNITION OF DENISE AYCOCK.

Mayor Armstrong presented Miss Denise Aycock, a finalist in the fourteenth annual Miss Southern California Teenager Pageant to be held on March 15 through March 17, 1985. Miss Aycock was presented a plaque by the Mayor, on behalf of his colleagues on the Council, with every good wish for continued success.

8b. RESOLUTION HONORING KASHIWA, JAPAN.

At the request of Mayor Armstrong, City Clerk Babb read title to --

RESOLUTION NO. 85-49

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF TORRANCE HONORING THE

2.

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12TH ANNIVERSARY OF OUR SISTER CITY
ASSOCIATION WITH KASHIWA JAPAN AND
PROCLAIMING FEBRUARY 20, 1985 AS
KASHIWA DAY

MOTION: Councilwoman Geissert moved for the adoption of Resolution No. 85-49. Her motion was seconded by Councilman Nakano, and roll call vote was unanimously favorable.

This recognition was accepted, with appreciation, by Ms. Lynn Cauble of the Torrance Sister City Association.

* * *

Mayor Armstrong announced with sadness the passing of Mr. Earl Crow, and requested that this meeting be adjourned in his memory.

* * *

9. LIBRARY/PARKS AND RECREATION MATTERS:

9a. YOUTH IN GOVERNMENT DAY, 1985.

RECOMMENDATION:

It is the joint recommendation of the City Manager's Office and the Parks and Recreation Department that Council approve staff's participation in Youth in Government Day, 1985; and, that this item be referred to the Parks and Recreation Department and the Youth Council for final program development and implementation.

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

10. TRANSPORTATION/PUBLIC WORKS MATTERS:

10a. CHANGE OF STREET NAME FROM CLARELLEN STREET TO PONDEROSA DRIVE.

Mayor Armstrong announced receipt of a request from one neighbor that Item 10a be held - there being no objection, it was so ordered.

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10b. WIDENING OF SCROC ROADWAY.

Held - to be returned to the Council in 2 weeks. There being no objection, it was so ordered.

Mayor Armstrong requested that the closure of Vine Street be included with the return of Item 10b.

14. PERSONNEL MATTERS:14a. JTPA FISCAL YEAR 1985 YOUTH EMPLOYMENT SUMMER PROGRAM.

City Clerk Babb read title to --

RESOLUTION NO. 85-50

A RESOLUTION OF THE CITY COUNCIL OF TORRANCE
AUTHORIZING AND DIRECTING THE MAYOR AND THE
CITY CLERK TO EXECUTE AND ATTEST A CONTRACT
BETWEEN THE CITY OF TORRANCE AND SOUTHERN
CALIFORNIA REGIONAL OCCUPATIONAL CENTER,
UNDER TITLE II-A OF THE JOB TRAINING
PARTNERSHIP ACT

MOTION: Councilman Mock moved for the adoption of Resolution No. 85-50. His motion, seconded by Councilman Wirth, carried unanimously by roll call vote.

15. HEARINGS:15a. ZC 84-6, HUGHES AIRCRAFT COMPANY (LARRY W. MARTZ, MANAGER):

Mayor Armstrong announced that this was the time and place for City Council consideration of a zone change from P-1 (Open Area/Planting/Parking) to M-2 (Heavy Manufacturing District) on property located on the north side of Skypark Drive approximately 1,400 feet east of Madison Street. ZC 84-6, HUGHES AIRCRAFT COMPANY (LARRY W. MARTZ, MANAGER).

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

The Planning Commission and the Planning Department recommend approval of Zone Change 84-6.

Councilman Nakano announced that he would abstain in consideration of this matter in that his son is employed by Hughes Aircraft.

Mayor Armstrong invited comments from the audience. There being no response, Councilman Applegate moved to close the hearing. His motion was seconded by Councilwoman Geissert, and roll call vote was unanimously favorable.

MOTION: Councilman Applegate moved to concur with the recommendation of the Planning Commission/Department for approval of ZC 84-6 from P-1 to M-2. His motion, seconded by Councilman Mock, carried unanimously by roll call vote (Councilman Nakano abstained).

At the request of Mayor Armstrong, City Clerk Babb read title to --

ORDINANCE NO. 3132

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 AT THE NORTH SIDE OF SKYPARK DRIVE APPROXIMATELY 1,400 FEET EAST OF MADISON STREET FROM P-1
TO M-2

ZC 84-6: HUGHES AIRCRAFT COMPANY

MOTION: Councilwoman Geissert moved to approve Ordinance No. 3132 at its first reading. Her motion was seconded by Councilman Wirth, and roll call vote was unanimously favorable (Councilman Nakano abstained).

15b. CUP 75-66(MOD.), ERNEST P. CLARKE AIA (BURGER KING):

Mayor Armstrong announced that this was the time and place for Council consideration of an administrative appeal of a Planning Commission approval of a Modification of a Conditional Use Permit to allow a building addition and a play area to an existing fast-food restaurant at 5326 Torrance Boulevard. CUP 75-66 (MOD.), ERNEST P. CLARKE AIA (BURGER KING).

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

The Planning Commission and the Planning Department recommend denial of the appeal and approval of the project.

Staff presentation was provided by Planning Associate Bihn, followed by Council discussion.

Concerns were expressed by Councilwoman Geissert regarding a safety factor involved in that small children would have to leave the restaurant and pass through an open area prior to entering the fenced play area.

Councilman Applegate, who had appealed the Planning Commission's approval of this request, voiced his concerns related to the close proximity of this restaurant to a high school and the attractive

nuisance aspect which would be represented by the proposed play area. Mr. Applegate pointed out existing parking problems during peak hours and expressed his opinion that these problems would be compounded with the addition of a play area which would encourage customers to spend a longer period of time at the facility.

Councilman Wirth voiced his opinion that, under appropriate circumstances, play areas in conjunction with fast food establishments can represent an asset to the business, and with proper conditions he would favor same.

Councilwoman Geissert expressed a desire to receive input from the proponent as to the possibility of providing a physical connection between the restaurant and the play area. It was ascertained at this point that no one was present to represent Burger King.

Councilman Applegate moved to close the hearing. His motion was seconded by Councilwoman Geissert, and roll call vote was unanimously favorable with the exception of a **negative** vote by Councilman Wirth.

MOTION: Councilwoman Geissert moved to continue the hearing on Agenda Item 15b until the end of tonight's formal agenda, with the hope that the proponent might arrive in the meantime. Her motion was seconded by Councilman Applegate, and carried without objection.

See Pages 8,9 for the continuation of this matter.

17. ADMINISTRATIVE MATTERS:

17a. SEWER SERVICE CHARGE FOR COUNTY SANITATION DISTRICT NUMBER FIVE.

City Clerk Babb read title to --

RESOLUTION NO. 85-51

A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF TORRANCE SUPPORTING THE COUNTY'S
SANITATION DISTRICT'S PROPOSAL TO CONSIDER
A SERVICE CHARGE TO USERS OF THE SEWERAGE
SYSTEM

MOTION: Councilwoman Geissert moved for the adoption of Resolution No. 85-51. Her motion, seconded by Councilman Wirth, carried by way of the following roll call vote:

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

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17b. EXECUTIVE SESSION.

See Pages 10-12.

20. CONSENT CALENDAR:20a. COUNCIL AWARD OF CONTRACT - Painting Interior and Exterior of Six City Buildings.

Ref: Bid #B85-8

Expenditure: \$20,700.00

RECOMMENDATION OF PURCHASING AGENT:

It is recommended that Council award the contract to paint these buildings to the Low Bidder of Bid #B85-8, THE ELI MANY COMPANY of Los Angeles, in the total amount of \$20,700.00.

FUNDING:

Funding for this contract work is available in the Building Maintenance Division budget.

20b. COUNCIL AUTHORIZATION - To Sell "Totally Wrecked" City Vehicles #7433 and #7295.RECOMMENDATION OF PURCHASING AGENT/EQUIPMENT SUPERINTENDENT:

Inasmuch as it is staff's judgment that both cars are beyond economical repair, it is recommended that Council authorize the sale of the units for salvage of parts to the highest bidders. Unit #7433 (the Toyota) to Schimmick Auto Dismantlers for the total bid amount of \$1,586.91, and Unit #7295 (the Plymouth black and white unit) to Ed Dool's Auto Builders for the total amount of \$590.89. (No sales tax is to be charged as this sale is subject to resale of parts).

20c. COUNCIL AWARD OF CONTRACT - For the Purchase and Installation of New Air Conditioning/Heating Systems at the Henderson and WALTERIA Branch Libraries.

Ref: Bid No. 85-11

Expenditure: \$37,240.00

RECOMMENDATION OF PURCHASING AGENT/BUYER:

It is staff's recommendation that Council award a contract for the furnishing and installation of the new air conditioning/heating systems at Henderson and WALTERIA Branch Libraries to the low bidder, Rusher Air Conditioning of Torrance, California, in the total amount of \$37,240.00 including tax.

- 20d. COUNCIL AWARD OF CONTRACT - For the Purchase of a BUDGETED Concrete and Asphalt Cutting Saw, for the Street Department.
 REF: Bid No. B84-73
 EXPENDITURE: \$7,126.98 including tax

RECOMMENDATION OF PURCHASING AGENT/STREET SUPERINTENDENT:

It is recommended by both the staffs of the Purchasing Department and the Street Department, that Council award a contract to the low bidder ADCO EQUIPMENT COMPANY for the purchase of one (1) Concrete/Asphalt cutting saw, in the total amount of \$7126.98 including tax.

- 20e. COUNCIL AWARD OF CONTRACT - For the Restoration of Various Game Court Surfaces at Four City Parks
 Ref: Bid No. 85-12
 Expenditure: \$11,980.00

RECOMMENDATION OF PURCHASING AGENT/PARKS AND RECREATION DIRECTOR:

It is staff's recommendation that Council award a contract for the restoration of these game court surfaces to the Low Bidder, Rieco, Inc. of South El Monte, California, in the total amount of \$11,980.00.

MOTION: Councilman Applegate moved to concur with staff recommendations on Agenda Items 20a, 20b, 20c, 20d, and 20e. His motion was seconded by Councilwoman Geissert, and roll call vote was unanimously favorable.

* * *

At 6:00 p.m., the Council recessed and reconvened as the Redevelopment Agency.

At 6:16 p.m., the regular order of Council business was resumed with the Redevelopment Agency remaining in session for consideration of Redevelopment matters during the Executive Session to be held at the close of Council business.

* * *

The Council now returned to --

- 15b. CUP 75-66(MOD.), ERNEST P. CLARKE AIA (BURGER KING):

Planning Associate Bihn advised the Council that he had just determined by telephone that Burger King had elected not to send a representative to this meeting.

Councilwoman Geissert noted her opinion that this fast food establishment is well located for a playground (not immediately adjacent to residential uses); however, she stated that she could not vote in favor of same because the play area is not accessible from inside the restaurant and her concerns for the children's safety.

MOTION: Councilwoman Geissert moved for DENIAL of CUP 75-66 (MOD), WITHOUT PREJUDICE. Her motion was seconded by Councilman Nakano.

A SUBSTITUTE MOTION was offered by Councilman Applegate to grant the appeal and DENY CUP 75-66 (MOD).

Councilman Applegate pointed out that, although Burger King had been granted permission to construct a playground in conjunction with their facility on Redondo Beach Boulevard, they chose not to do so -- further, their decision not to send a representative to this meeting would indicate to him their reluctance to consider a modification to their present plans. Mr. Applegate expressed his opinion that a play area at the subject site would prove to be an attractive nuisance because of its location and because this is the only facility in the area open late in the evening.

At this point Councilman Walker SECONDED the above SUBSTITUTE MOTION, citing its location next to a very active school as his primary reason for opposing the project, as well as the placement of the playground and the lack of safe ingress to the play area.

Councilman Applegate's SUBSTITUTE MOTION for DENIAL of the project FAILED TO CARRY, as shown by the following roll call vote:

AYES: COUNCILMEMBERS: Applegate, Walker and Mayor Armstrong.

NOES: COUNCILMEMBERS: Geissert, Mock, Nakano and Wirth.

The original motion for DENIAL WITHOUT PREJUDICE then carried unanimously by roll call vote.

The Council now resumed its regular agenda order.

22. ORAL COMMUNICATIONS:

22a. Councilman Applegate requested that Councilmembers be notified in the future when matters of public concern occur within the City, such as the emergency closure of Torrance Boulevard on February 18.

22b. Councilman Mock expressed appreciation to Chief Nash for the opportunity of participating in a "ride along."

22c. Councilman Walker suggested that a Council Ad Hoc Committee be appointed to consider Cable TV matters. Appointed to this Committee by Mayor Armstrong were: Councilmembers Applegate, Geissert and Walker (Chairman); Councilman Wirth to act as alternate.

22d. Councilman Wirth expressed appreciation to staff for the recent Commissioner's workshop.

22e. Councilman Wirth requested staff feedback regarding the Mobil Oil/AQMD issue -- information regarding noise and other controls which can be exercised by the City was also requested by Mr. Wirth.

22f. Councilman Wirth introduced his parents, Ray and Alice Wirth, from the audience.

22g. Mayor Armstrong expressed his distress at the handling of the Mobil Oil matter by AQMD with no notification to the City of Torrance prior to its release by the news media. This City's support of the fullest measure of the law was stressed by Mayor Armstrong.

22h. Ms. Lola Unger, Vice-President of the Torrance League of Women Voters, 20413 Ocean Avenue, read aloud a statement (of official record) re: Cable Television Public Access Governing Foundation, urging that a mechanism for citizen participation be provided in the City of Torrance.

The Council now returned to --

17b. EXECUTIVE SESSION:

(NOTE: The City Council/Redevelopment Agency were sitting in Joint Session - see Page 8 of these minutes).

Mayor Armstrong read the following statement into the record:

The City Council will now recess to closed (executive) session for the purpose of conferring with and receiving

advice from the City Attorney concerning one item of pending litigation to which the City is a party:

Redevelopment Agency of the City of Torrance vs.
W. D. Tollefson, et al - Case No. C527239, Superior
Court for Los Angeles County.

The City Council will also recess to closed session to confer with the City Attorney regarding pending litigation concerning the Park Del Amo Project and the deed to the Madrona Marsh. This is being done pursuant to Government Code §54956.9(c).

The City Council will also recess to closed session to confer with the City Attorney regarding pending negotiations with Honda regarding the sale of property to Honda and regarding possible eminent domain proceedings to acquire 26 acres of land located in the East Torrance Industrial Redevelopment Project.

Said closed session is being held pursuant to the provisions of Government Code Section 54956.9(c) and Section 54956.8.

City Attorney Remelmeyer advised that the closed session regarding the 26 acres and Honda will be by the City Council acting as the Redevelopment Agency.

At 6:30 p.m., the City Council/Redevelopment Agency of the City of Torrance recessed to executive session, returning at 7:35 p.m., to take the following action.

Executive Director Jackson requested the Redevelopment Agency to authorize the Executive Director of the Redevelopment Agency to issue offers of purchase of land for the land known as the 26 acres bordered by Torrance and Van Ness Boulevards.

Mr. Applegate SO MOVED. His motion was seconded by Mr. Walker, and roll call vote was unanimously favorable.

* * *

At 7:36 p.m., the meeting of the Redevelopment Agency was adjourned upon a motion by Mr. Applegate, seconded by Mrs. Geissert, and carried unanimously by roll call vote. Council action then resumed.

* * *

11.

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City Attorney Remelmeyer stated as follows:

With regard to the controversy on the Madrona Marsh, I recommend that the Council authorize me to file a Declaratory Relief Action for specific performance and for an Injunction and take any other legal measures necessary, and file any other actions necessary, to obtain the fee simple title to the Marsh as quickly as possible, and that in aid thereof the City Council appropriate the sum, not to exceed, \$25,000 from the General Fund Emergency Reserve for that purpose and authorize me to hire outside counsel to assist me in the action.

Councilwoman Geissert SO MOVED. Her motion, seconded by Councilman Wirth, was unanimously approved by roll call vote.

* * *

At 7:37 p.m., the meeting was adjourned to February 26, 1985, at 7:00 p.m.

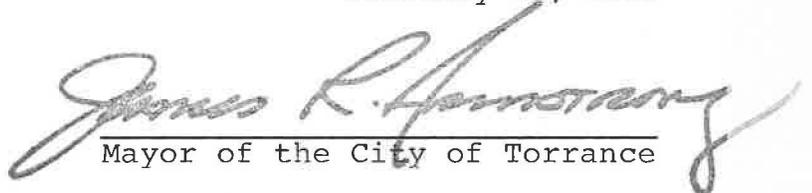
Adjournment was dedicated to the memory of Mr. Earl Crow.

#

Peggy Laverty
Minute Secretary

12.

City Council
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Mayor of the City of Torrance


City Clerk of the City of Torrance