

I N D E XTorrance City Council - January 7, 1986

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Peggy Laverty
Minute Secretary

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January 7, 1986

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

January 7, 1986

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, January 7, 1986, 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,
Staff representatives.

3. FLAG SALUTE AND INVOCATION:

Ms. Cindi Hammond led in the salute to the flag.

The invocation for the meeting was provided by Pastor Chris Hooker, Calvary Chapel.

STANDARD MOTIONS:

4. APPROVAL OF MINUTES:

MOTION: Councilman Applegate moved for adoption of the City Council minutes of December 3, 1985, as recorded. His motion was seconded by Councilwoman Geissert, and roll call vote proved unanimously favorable.

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5. 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. His motion was seconded by Councilwoman Geissert, and carried unanimously by roll call vote.

6. WITHDRAWN OR DEFERRED ITEMS:

Item 12a, CUP 85-15, Cal Target Enterprises, Inc. - to be continued (see Page 3).

7. COUNCIL COMMITTEE MEETINGS:

None scheduled.

* * *

Mayor Armstrong announced, with sadness, the passing of Dr. W. Bruce Magner, and Ms. Armena Davitian, and requested that this meeting be adjourned in their memories.

* * *

10. TRANSPORTATION/PUBLIC WORKS MATTERS:10a. RULE 20-A FUNDING:

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

RESOLUTION NO. 86-1

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF TORRANCE SUPPORTING RULE 20-A
UNDERGROUNDING AGREEMENT FOR THE SOUTHERN
CALIFORNIA EDISON SERVICE TERRITORY

MOTION: Councilwoman Geissert moved for the adoption of Resolution No. 86-1. Her motion, seconded by Councilman Wirth, carried unanimously by roll call vote.

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10b. GRANT OF EASEMENT ON FIRE STATION NO. 6 PROPERTY:

At the Mayor's request, the City Clerk read title to the following --

RESOLUTION NO. 86-2

A RESOLUTION OF THE CITY OF TORRANCE AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST AN EASEMENT TO SOUTHERN CALIFORNIA EDISON COMPANY FOR UNDERGROUND ELECTRICAL SYSTEMS AND APPURTENANCES

MOTION: Councilwoman Geissert moved for the adoption of Resolution No. 86-2. This motion, seconded by Councilman Nakano, was unanimously approved by roll call vote.

12. PLANNING AND ZONING MATTERS:

12a. CUP 85-15, CAL TARGET ENTERPRISES, INC:

Staff's request that the Cal-Target appeal be continued to a future date to coincide with the moratorium on the issuance of permits for package liquor sale establishments, was noted by Mayor Armstrong.

Planning Director Ferren requested that this item be postponed indefinitely, noting that the matter will be readvertised at the appropriate time.

MOTION: Councilman Applegate moved to concur with the recommendation of the Planning Director to postpone Agenda Item 12a. indefinitely. His motion was seconded by Councilman Walker, and carried without objection.

Councilman Wirth commented on progress evidenced by this company's efforts to improve the status of another of their properties in the City, per previous Council request.

15. HEARINGS:

15a. CUP 83-7, AMERICAN HONDA MOTOR COMPANY, INC:

Mayor Armstrong announced that this was the time and place for Council consideration of an administrative appeal of the Planning Commission decision to approve a Modification of a Conditional Use Permit to allow construction of a National

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Corporate Headquarters Complex. CUP 83-7, AMERICAN HONDA MOTOR COMPANY, INC.

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

Staff presentation was provided by Planning Associate Bihn, who noted that the Planning Commission and the Planning Department recommend approval of the project and denial of the appeal.

A formal presentation, with the aid of slides, was then provided by the proponent's representative, Mr. Ron Frink, Design Architect for the project.

In response to Mayor Armstrong's invitation for further comments from the audience, Mr. Ralph L. Bernstein, J. S. Enterprises, Inc., approached the podium and described his experiences as the owner of 5.5 acres in the subject Redevelopment Area. Mr. Bernstein noted that J. S. Enterprises is still the owner of that property where Honda is proposing to locate their parking lot and part of their new office building.

Continuing, Mr. Bernstein stated that he was not invited, as he should have been, to participate in this Redevelopment Project, and further expressed his opinion that in 1983 someone "was working with American Honda to take away my property and build an office building on it and never give me a chance to participate."

Mr. Bernstein recommended that the entire situation, including the matter of fees paid for the subject application, be investigated, and submitted that the application should be "absolutely denied."

Responding to Mr. Bernstein's remarks, City Attorney Remelmeyer stated that the City has rigidly followed the eminent domain laws as set forth in the Code of Civil Procedures in this matter, and that Mr. Bernstein has participated in the many hearings required over several years' time.

Mr. Remelmeyer outlined the specific procedures involved and the rights of the City and property owners, as well, concluding with his opinion that the City Council has the right to go forward with the subject project, as planned.

Mr. Bernstein returned and maintained his position that his property was improperly taken and an investigation should be initiated.

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Responding briefly, Mayor Armstrong advised that the City has elected to do much more than is required under Redevelopment laws to accommodate the affected businesses in the area, and has abided by the spirit, as well as the letter, of the Redevelopment laws of the State and the U.S. Government under which action has been taken. The Mayor further stated that, contrary to any suggestion that there might have been a secret meeting or agreement involved, everything has been done in public.

There being no one else in the audience who wished to address this issue, Councilman Walker moved to close the hearing. His motion was seconded by Councilwoman Geissert, and roll call vote was unanimously favorable.

MOTION: Councilman Walker moved to concur with the recommendation of the Planning Commission and Planning Department for approval of the project and denial of the appeal. His motion was seconded by Councilman Wirth and, there being no objection, it was so ordered.

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

RESOLUTION NO. 86-3

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A MODIFICATION OF A CONDITIONAL USE PERMIT TO ALLOW THE CONSTRUCTION OF A NATIONAL CORPORATE HEADQUARTERS COMPLEX IN THE M-2 AND M-1 ZONES ON THE EAST SIDE OF VAN NESS AVENUE BETWEEN TORRANCE BOULEVARD AND HARPERS WAY.

CUP 83-7 (MOD): AMERICAN HONDA MOTOR CO., INC.

MOTION: Councilman Walker moved for the adoption of Resolution No. 86-3. His motion was seconded by Councilwoman Geissert, and carried unanimously by roll call vote.

15b. D 85-27, DAVID AND SHERRY McMULLEN:

Mayor Armstrong announced that this was the time and place for Council consideration of an appeal of Planning Commission denial of a Division of Lot to create two parcels in the R-1 zone at 2025 West 231st Street: D85-27, DAVID AND SHERRY McMULLEN.

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

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Staff presentation was provided by Planning Associate Gibson, who noted that the Planning Commission recommends denial of the appeal and denial of the request (without prejudice); the Planning Department recommends approval of the appeal and approval of the proposed lot split.

Presentation on behalf of the proponent was provided by Mr. Robert McClellan, 820 Manhattan Avenue, Manhattan Beach, proposed purchaser of the site. Mr. McClellan advised, in response to an inquiry by Councilwoman Geissert, that design plans for the structure to be built on the rear lot are not available at this time; however, he expressed his opinion that that dwelling will likely be oriented toward the driveway and will probably be located toward the rear of the parcel with yard area between the two dwellings.

Present to urge denial of the appeal were:

- o Ms. Fran Arrowsmith, 2019 231st Street,
- o Ms. Linda Dowlan, 23017 Cabrillo,
- o Mr. Rick Bridham, 2039 West 231st Street,
- o Ms. Sharon Bridham, 2039 West 231st Street,
- o Mr. William Ferken, 2016 230th Street.

Concerns expressed encompassed violation of privacy; precedent-setting aspects; increased traffic; compounding of existing parking problems; increased congestion in area of school and public library; density; noise; change in character of the neighborhood; etc. It was also the concern of the resident immediately to the rear of the subject property (Mr. Ferken) that if a two-story home is constructed on the rear flag lot, it will have a "canyon" effect on his property.

Concurrence regarding the existing traffic problems on 231st Street was expressed by Mr. David McMullen, 2025 West 231st Street. Mr. McMullen pointed out, however, that there are other two-story homes in the area and, in his opinion, this one additional house with offstreet parking and a 200-foot driveway should not pose a problem.

Mr. Bruce Short, 1625 Via Margarita, Palos Verdes Estates, offered the following observations:

- The lot size conforms with other lots in the area;
- Approval of a flag lot of this type is not unusual for the area;

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- Most of the lots that could be made flag lots in the area have already been developed in that manner;
- Planning staff recommended approval.

A motion for closure of the hearing was offered by Councilman Applegate and seconded by Councilman Walker. Roll call vote on the closure was unanimously favorable.

Noting his opinion that design of the intended development of the rear parcel should be brought forward because of the potential impact on the surrounding area, Councilman Walker offered the following motion.

MOTION: Councilman Walker moved to concur with the Planning Commission recommendation for DENIAL WITHOUT PREJUDICE of D 85-27. His motion was seconded by Councilwoman Geissert.
NOTE: This motion was later AMENDED - see below.

At the time she seconded the motion, Mrs. Geissert commented that while there are a number of flag lots in Southeast Torrance, unless it is a truly unusually sized lot, it impacts an area and represents overbuilding. Measures taken in this case to provide for the flag lot design are extreme, in her opinion, and because of the possible size of the rear structure, a severe impact on the immediately surrounding lots could result.

The provisions of the Subdivision Map Act which would require specific grounds for denial were explained by City Attorney Remelmeyer, whereupon Councilman Walker AMENDED HIS MOTION to indicate that rejection is based on the proposed density of the development and the negative environmental impact the development would have on surrounding properties. This amendment was accepted by Councilwoman Geissert, as seconder of the motion.

Roll call vote on the motion, as amended, was unanimously favorable.

15c. RODNEY A. PANTAGES PIPELINE FRANCHISE:

Mayor Armstrong announced that this was the time and place for the public hearing before Council on a proposed franchise ORDINANCE to rebuild and relocate under public right-of-way a pipeline in West Torrance which will carry crude oil from several oil wells to a tank farm in the West High School parking lot.

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Proof of publication was provided by the City Clerk and it was ordered filed, without objection.

There being no one in the audience who wished to address this matter, Councilman Walker moved to close the hearing. His motion was seconded by Councilman Mock, and roll call vote was unanimously favorable.

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

ORDINANCE NO. 3159

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE GRANTING TO RODNEY A. PANTAGES dba SHASTA PAN OIL COMPANY A FRANCHISE TO BUILD, OPERATE AND MAINTAIN A CERTAIN PIPELINE AND APPURTENANCES FOR THE TRANSPORTATION OF HYDROCARBON SUBSTANCES IN THE CITY OF TORRANCE

MOTION: Councilwoman Geissert moved for the approval of Ordinance No. 3159 at its first reading. Her motion was seconded by Councilman Applegate, and roll call vote was unanimously favorable.

17. ADMINISTRATIVE MATTERS:

17a. ORDINANCE PERMITTING REFUND OF UTILITY USERS' TAX:

At Mayor Armstrong's request, the City Clerk read title to the following --

ORDINANCE NO. 3160

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING SECTION 225.1.15 OF THE TORRANCE MUNICIPAL CODE BY ADDING THERETO A SUBSECTION PERTAINING TO A REFUND OF UTILITY USERS' TAX AUTHORIZED BY THE PUBLIC UTILITIES COMMISSION OR COURT ORDER

MOTION: Councilman Applegate moved for the approval of Ordinance No. 3160, at its first reading. His motion, seconded by Councilman Nakano, carried unanimously by roll call vote.

At the request of Mayor Armstrong, Mr. Greg Hill of the Southern California Gas Company, provided clarification regarding the subject matter.

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17b. AMENDMENT OF AIRPORT PLAZA SHOPPING CENTER LEASE:

At Mayor Armstrong's request, City Clerk Babb read title to the following --

RESOLUTION NO. 86-4

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE APPROVING AN AMENDMENT TO THE AIRPORT PLAZA SHOPPING CENTER LEASE, AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE SAID AMENDMENT

MOTION: Councilman Wirth moved for the adoption of Resolution No. 86-4. His motion was seconded by Councilman Nakano, and carried unanimously by roll call vote.

17c. EXECUTIVE SESSION:

See Pages 15 and 16.

17d. ESTABLISHMENT OF CABLE TELEVISION ADVISORY BOARD:RECOMMENDATION:

It is the recommendation of the City Manager, City Attorney and Cable Television Administrator that your Honorable Body:

- 1) Establish a seven member Advisory Board selected from at large to serve a four year term for maximum of two consecutive terms.
- 2) Direct the City Attorney to return within thirty days with a resolution establishing the seven member Cable Television Advisory Board and setting the term of office.
- 3) Direct the City Clerk to take appropriate action to proceed with the standard procedure for filling the Advisory Board vacancies and to set a date and time for interviews of the appointees.

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4) Adopt as the goals of the Advisory Board:

To advise and make recommendations to the Cable Television Foundation and City Council in the area of policies and procedures in public access interests, scheduling public access programming, facilities and equipment for the community and public access channels, disbursement of Foundation Funds, and other matters to be delineated. In addition, the board will advise the Cable Television Foundation in the use of government channels, scheduling of the City studio, recommendations regarding cable legislation and review of the Cable Television franchise.

City Manager's Note:

Based on the unique and broad reaching goals and responsibilities of the Cable Television Advisory Board, it is recommended that Option 3 be selected. This fifteen member option, with designated seats, will allow for broader representation by the community as well as greater expertise by people who will be directly involved in community access activities. LJJ/bt

There was general Council review and discussion of the written material on this item, and the following specific concerns and requests were made known.

Councilman Walker: Expressed concerns regarding the matter of two four-year terms being specified; questioned use of lay expertise exclusively; requested clarification in the language regarding policies and procedures; and noted his preference for a seven-person advisory board.

Councilman Nakano: Pointed out that "secondary education" as referenced in the material of record, should refer to grades 9-12, rather than K-12, as indicated.

Councilman Wirth: Indicated concerns regarding diversification of designated seats; and noted the importance of access user representation.

Councilman Applegate: Cautioned that the most qualified individuals be appointed; and recommended that the Board size be established at seven, that number to be increased later if found necessary.

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Councilwoman Geissert: Favored a 15-member advisory group, with a certain number of institutional designations; urged that an access user or potential access user be sought in the various categories; recommended refinement of the selection/appointment process; and requested that she be apprised of the specific section in the Charter pertaining to the residency requirement.

Audience input was then invited by Mayor Armstrong. Speakers included:

- o Ms. Cindi Hammond, Torrance League of Women Voters (written statement of record);
- o Mr. Seymour I. Cohen, Attorney and Access User;
- o Mr. W. D. Brugger, 2348 West 230th Street;
- o Mr. Ron Sturkey, 4916 Reynolds Road, Chairman of the Torrance Community Producers Association;
- o Ms. Becky Kilburn, Torrance Producers Association;
- o Mr. Jim Colleran, 2011 South Border, Torrance Community Producers Association.

Comments included the desire for appropriate expertise; representation of the general interests of the citizenry; at least one designated seat for access users; etc.

The following motion was then offered.

MOTION: Councilman Walker moved that Item 17d. be referred to the Council Committee on Cable Television. His motion was seconded by Councilman Nakano.

A SUBSTITUTE MOTION was offered by Councilman Applegate that Item 17d. be returned to the City Council as a whole in two weeks. This substitute motion was seconded by Councilwoman Geissert.

Further discussion resulted in a request by City Manager Jackson that the matter be returned to Council in three weeks, rather than two. Councilman Applegate accepted the three week designation as an AMENDMENT to his motion; Councilwoman Geissert accepted, as seconder.

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Prior to roll call vote on the substitute motion, Ms. Charlotte Lobb, 1843 West 244th Street, approached the podium, and expressed her surprise at seeing the proposal that the advisory group would deal with such a broad spectrum, including legislative matters.

Roll call vote on the SUBSTITUTE MOTION AS MODIFIED, to return Item 17d. to the full Council in three weeks (January 28, 1986) was as follows:

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

NOES: COUNCILMEMBERS: Mock, Nakano and Walker.

20. CONSENT CALENDAR:

- 20a. LANDSCAPING AND IRRIGATION SYSTEM for Median Islands on Sepulveda Boulevard from Border Avenue to Western Avenue.
(B85-15) - NOTICE OF COMPLETION.

RECOMMENDATION OF ACTING CITY ENGINEER:

That the work be accepted and final payment be made to the contractor.

- 20b. AWARD OF CONTRACTS - Re: Purchase of New 1986 Budgeted Vehicles.
Ref: Bid No. B85-69
EXPENDITURE: \$403,569.96.

RECOMMENDATION OF ACTING DIRECTOR OF GENERAL SERVICES:

It is recommended that the following award of contracts be made for the City's budgeted requirements of vehicles and trucks.

In each case the recommendation will be to the low bidder for each item.

1. Recommend bid items 1 and 2 for 3 police plain sedans and 9 misc. department sedans be made to Beach City Chevrolet in the total amount of \$106,137.77 including tax.
2. Recommend bid items 3, 6 and 8-10 for thirteen (13) 1/2 Ton pickup trucks and four (4) dump trucks be awarded to G.M.C. Truck and Coach Division of Los Angeles in the total amount of \$245,814.78 including tax.

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3. Recommend bid item 5 for one (1) 3/4 Ton pickup truck be awarded to Chaffee Motors in the total amount of \$10,536.10 including tax.
4. Recommend bid item 7 for one (1) chipper body truck be awarded to L.A. Freightliner - GMC in the total amount of \$41,081.31 including tax.

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

21. ADDENDUM MATTERS:

21a. WESTERN P.V. ASSOCIATES (HONDA DEALERSHIP) LEASE:

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

RESOLUTION NO. 86-5

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF TORRANCE APPROVING THE EXECUTION
OF A LICENSE AND INDEMNITY AGREEMENT WITH
WESTERN P.V. ASSOCIATES

MOTION: Councilwoman Geissert moved for the adoption of Resolution No. 86-5. Her motion, seconded by Councilman Applegate, carried unanimously by roll call vote.

* * *

At 7:53 p.m., the City Council convened in Joint Session with the Redevelopment Agency of the City of Torrance, returning to the Council agenda at 7:55 p.m., but remaining in Joint Session for purposes of a Joint Executive Session to be heard at the conclusion of Council business.

* * *

22. ORAL COMMUNICATIONS:

22a. Councilwoman Geissert commended the Rose Float Association and all of the volunteers for the beautiful City of Torrance entry in the 1986 Tournament of Roses Parade.

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22b. Councilwoman Geissert proudly announced the arrival of her seventh grandchild, a 5-pound, 7-ounce little girl named Allison Claire. Allison was born in Hershey, Pennsylvania, to Jack and Karen Geissert -- congratulations to the entire family!

22c. Councilman Mock extended congratulations to the Rose Float Association for this year's entry, and announced that next year's theme will be an international one. It was Mr. Mock's request that staff investigate the possibility of a design in conjunction with Torrance's Sister City, Kashiwa, Japan.

22d. A special "Thanks" to Marineland, as well as commendation to the Rose Float Association and volunteers, was extended by Councilman Wirth, who expressed special appreciation to Mr. Bob DeArmond, Rose Float Association President. Concurrence with these kudos was voiced by Mayor Armstrong.

22e. Mayor Armstrong requested that the Seaside Rancho community be awarded a commendation for their outstanding neighborhood Christmas decorations and the sense of community and civic pride represented thereby.

22f. Mr. Robert Pickett, 2735 Arlington Avenue, an El Camino College student, requested information regarding newly acquired buses in the City of Torrance which are allegedly defective, and also expressed concerns regarding the age and condition of Bus #340. Staff to follow through.

22g. Mr. Bob DeArmond, President of the Torrance Rose Float Association, expressed appreciation to Mayor Armstrong, Councilmembers, and staff for their support in this year's Rose Float Parade entry.

22h. Ms. Donna DeLonti, 19333 Flavian Avenue, submitted a petition containing signatures representing 24 households in her neighborhood objecting to scheduled removal of certain City trees on her street. It was the direction of Mayor Armstrong that removal of the trees be deferred at this time, pending staff investigation and a report on the status of the situation.

* * *

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The Council returned to --

17c. EXECUTIVE SESSION:

Mayor/Chairman Armstrong read the following statement into the record.

The City Council will now recess to closed session for the purpose of conferring with the City Attorney regarding the following:

1. Pending litigation entitled City of Torrance v. Torrance Investment Company, et al, Los Angeles Superior Court Case No. C577962, held pursuant to the provisions of Government Code Section 54956.9(a).
2. Possible litigation involving the City and Group W concerning the transfer of the Cable TV franchise by Group W, held pursuant to the provisions of Government Code Section 54956.9(a).
3. Potential litigation involving claimant Shirley Chan concerning the possibility of a pre-litigation settlement with Mrs. Chan, held pursuant to the provisions of Government Code Section 54956.9(b)(1).
4. Pending litigation entitled City of Torrance vs. Torrance Unified School District, Case Number C561662, held pursuant to the provisions of Government Code Section 54956.9(a).

The City Council, acting as the Redevelopment Agency, will also recess to closed session for the purpose of conferring with the Agency's legal counsel concerning the following:

1. Pending litigation concerning eminent domain proceedings of 25 acres of land situated north of Torrance Boulevard and east of Van Ness Avenue (Redevelopment Agency of the City of Torrance vs. Cucci, et al, Superior Court Case Number C544917). The authority for holding this closed session is contained in Government Code Section 54956.9(a).

The City Council will also recess to closed session to confer with the City Manager regarding salaries, salary schedules and compensation of certain employee groups. This closed session is being held pursuant to the authority of Government Code Section 54957.6.

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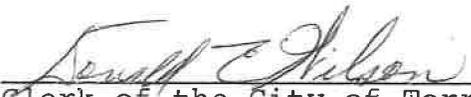
NOTE: Councilman Applegate abstained from discussion of the Torrance Investment Company matter, and absented himself from the closed session during that time.

At 8:18 p.m., a brief recess was called, and at 8:23 p.m., the City Council/Redevelopment Agency of the City of Torrance recessed to Joint Executive Session, returning at 9:36 p.m. for formal adjournment to January 14, 1986, 7:00 p.m. No formal action was taken as a result of the Executive Session.

Adjournment was dedicated to the memories of Dr. Bruce Magner and Ms. Armena Davitian.

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 Mayor of the City of Torrance


 Clerk of the City of Torrance

Peggy Laverty
 Minute Secretary

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