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#

Peggy Laverty
Minute SecretaryCity Council
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MINUTES OF AN ADJOURNED REGULAR
MEETING OF THE TORRANCE CITY COUNCIL

OPENING CEREMONIES:

1. CALL TO ORDER:

The Torrance City Council convened in an adjourned regular meeting on Tuesday, September 9, 1986, at 6:00 p.m., in the Council Chambers at Torrance City Hall.

2. ROLL CALL:

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

Absent: Councilman Walker.

Also present: City Manager Jackson, City Attorney Remelmeyer, and City Clerk Wilson.

17b. EXECUTIVE SESSION:

Mayor Geissert announced that the City Council had convened at the 6:00 p.m. hour for purposes of an Executive Session. The following statement was then read into the record by the Mayor.

The City Council will now recess to closed session for the purpose of conferring with the City Attorney regarding the following pending litigation cases to which the City is a party. The authority for holding a closed session for this purpose is contained in the provisions of Government Code Section 94956.9(a):

1. City of Torrance v. Torrance Investment Company et al, Los Angeles Superior Court Case Number C577962.
2. City of Torrance v. Group W Cable TV, et al, Los Angeles Superior Court Case Number C607766.

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3. Calvin Dale Pete v. City of Torrance, et al, Los Angeles Superior Court Case Number SWC 65121.
4. SOAR v. City of Torrance, Case Number CV 9543, United States District Court, Central District of California.

Potential litigation involving a slope failure resulting in damage to real property located at 4730 Via Corona. The authority for holding a closed session for this purpose is contained in Government Code Section 54956.9(b)(1).

At 6:04 p.m., the City Council recessed to Executive Session for the purpose of considering the above listed matters.

NOTE: Councilman Applegate announced that he would abstain from any consideration of the Torrance Investment Company case, and absented himself from the meeting room during that discussion.

At 7:15 p.m., the Council returned and convened in their regular meeting (minutes of which immediately follow these pages).

[See Page 16 for action as a result of the above Executive Session].

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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, September 9, 1986, at 7:15 p.m. (Adjourned Regular Meeting Executive Session had begun at 6:00 p.m.), in the Council Chambers at Torrance City Hall.

2. ROLL CALL:

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

Absent: Councilman Walker.

Also present: City Manager Jackson, City Attorney Remelmeyer, and Staff representatives.

3. FLAG SALUTE AND INVOCATION:

Boy Scout Troop #310 - James Gordon, Scoutmaster - led in the salute to the flag.

The invocation for the meeting was provided by Father Jeffrey D. Paul, St. Andrew's Episcopal Church.

STANDARD MOTIONS:

4. APPROVAL OF MINUTES:

MOTION: Councilman Applegate moved to approve the City Council minutes of August 12, 1986, as recorded. His motion, seconded by Councilman Wirth, carried unanimously by roll call vote (Councilman Walker absent).

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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 Hardison, and carried unanimously by roll call vote (Councilman Walker absent).

6. WITHDRAWN OR DEFERRED ITEMS:

None.

7. COUNCIL COMMITTEE MEETINGS:

Armed Forces Day Committee
Thursday, September 18, 4:30 p.m.
Council Conference Room

Citizen Development & Enrichment Committee/T.U.S.D. Board
of Education
Wednesday, September 24, 4:00 p.m.
T.U.S.D. Administrative Offices

Community Planning & Design Committee
Monday, October 6, 5:30 p.m.
Third Floor Assembly Room
Subject: Forty-foot R-2 Lots

* * *

It was with sadness that Mayor Geissert announced the passing of former City of Torrance Planning Department employee, Mr. Alex Romvari and also of Rear Admiral Frank Higbee, a long-time friend of this City.

It was the request of the Mayor that this meeting be adjourned in their memories.

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8. COMMUNITY MATTERS:8a. RECOGNITION OF MISS TORRANCE 1986 AND MISS TORRANCE 1987:

Mayor Geissert presented, on behalf of her colleagues on the Council and the citizens of Torrance, a plaque to Miss Erin Clanton in recognition of, and appreciation for, her year of reigning as Miss Torrance 1986. There was gracious acceptance by Miss Clanton.

Mayor Geissert next introduced Miss Torrance 1987, Miss Monique Megerdichian, and congratulated her on behalf of the Council and extended best wishes for the coming year.

8b. A.Y.S.O. CENTRAL TORRANCE (REGION 15) SOCCER TEAM:

In recognition of their winning the 1986 Hawaiian Rainbow Tournament, Mayor Geissert presented certificates to individual members of A.Y.S.O. Region 15's "California Girls" and coaches. A plaque was also presented by the Mayor to the team in honor of their outstanding accomplishment. There was grateful acceptance by those present.

8c. PROCLAMATION proclaiming September 19, 1986, as "National P.O.W./M.I.A. Recognition Day."

SO PROCLAIMED by Mayor Geissert.

8d. RESOLUTION Congratulating Riviera United Methodist Church:RESOLUTION NO. 86-223

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF TORRANCE CONGRATULATING THE
RIVIERA UNITED METHODIST CHURCH ON THEIR
THIRTIETH ANNIVERSARY

MOTION: Councilman Nakano moved for the adoption of Resolution No. 86-223. His motion was seconded by Councilman Wirth and roll call vote was unanimously favorable (Councilman Walker absent).

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8e. APPOINTMENT OF AIRPORT COMMISSIONER:

Following interviews of those applicants present, the Council duly appointed Colonel James McKee to fill the vacancy on the Airport Commission.

Col. McKee received the Oath of Office from City Clerk Wilson, and was extended a warm welcome by the Mayor and Council.

10. TRANSPORTATION/PUBLIC WORKS MATTERS:

10a. IN-LIEU REPLENISHMENT PROGRAM:

RESOLUTION NO. 86-224

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING THE CITY'S PARTICIPATION IN THE 1986-87 IN-LIEU REPLENISHMENT PROGRAM SPONSORED BY THE CENTRAL AND WEST BASIN WATER REPLENISHMENT DISTRICT

MOTION: Councilman Nakano moved to adopt Resolution No. 86-224. His motion was seconded by Councilwoman Hardison, and carried unanimously by roll call vote (Councilman Walker absent).

10b. SENATE BILL 821 FUNDING FOR FY 1986-87:

RESOLUTION NO. 86-225.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF TRANSPORTATION TO APPLY FOR FY 1986-87 BICYCLE AND PEDESTRIAN FUNDS AS AUTHORIZED UNDER SB-821 AND APPROVING THE ADOPTION OF A BIKE PATH PROJECT ALONG THE ROUTE OF THE CRENSHAW BOULEVARD BIKEWAY

MOTION: Councilman Nakano moved to adopt Resolution No. 86-225. His motion was seconded by Councilman Mock.

Prior to roll call vote, Ms. Ruth Barnes, 2601 East Victoria Street, Rancho Dominguez, addressed the Council concerning the on-going need for educating young people regarding bicycle safety. Ms. Barnes was commended by Mayor Geissert for her interest and dedication through the years.

Roll call vote on the above motion was unanimously favorable (Councilman Walker absent).

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10c. AWARD OF BID - TRAFFIC SIGNAL MODIFICATION:

RECOMMENDATION OF DIRECTOR OF TRANSPORTATION:

The Department of Transportation recommends that the bid for the modification of the traffic signal at Anza Avenue and Lomita Boulevard be awarded to Raymor Electric Company, Inc. for \$28,490; and that \$35,000 in Gas Tax Funds be appropriated to cover the cost of the project.

MOTION: Councilman Applegate moved to concur with the above stated recommendation of the Director of Transportation on Agenda Item 10c, including the specified appropriation. His motion, seconded by Councilman Mock, carried unanimously by roll call vote (Councilman Walker absent).

10d. AWARD OF PROPOSAL FOR DESIGN - PACIFIC COAST HIGHWAY IMPROVEMENT:

RECOMMENDATION OF DIRECTOR OF TRANSPORTATION:

The Department of Transportation recommends that the proposal for the improvement of Pacific Coast Highway from Madison Street to Ocean Avenue be awarded to Basmaciyan-Darnell, Inc., for \$9,200, and that all other proposals be rejected.

MOTION: Councilman Nakaño moved to concur with the above stated recommendation of the Director of Transportation. His motion was seconded by Councilman Mock, and roll call vote was unanimously favorable (Councilman Walker absent).

11. POLICE AND FIRE MATTERS:

11a. ASSET FORFEITURE FUNDS, \$14,234.00:

RECOMMENDATION OF ACTING POLICE CHIEF/CITY ATTORNEY:

The Police Department recommends that the \$14,234.00 be placed into the Department's Secret Service Account until such programs can be formalized and funded in accordance with policy and law.

MOTION: Councilman Nakano moved to concur with the above stated recommendation on Agenda Item 11a. His motion, seconded by Councilwoman Hardison, was unanimously approved by roll call vote (Councilman Walker absent).

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15. HEARINGS:15a. ZC 86-3, GPA 85-3 (EA 85-16) TORRANCE PLANNING COMMISSION:

Mayor Geissert announced that this was the time and place for the Public Hearing continued from September 2, 1986, for Council consideration of a change of zone from Public Use (PU) District to Residential Townhouse District (R-TH) and a General Plan Amendment (GPA) from Light Manufacturing to Low-Medium Density Residential; OR, Limited Manufacturing District with a Light Manufacturing Precise Plan Overlay (ML-MlPP) for the Victor Precinct Sump on the south side of Spencer Street approximately 650 feet east of Anza Avenue. ZC 85-3, GPA 85-3 (EA 85-16) TORRANCE PLANNING COMMISSION.

Proof of publication was provided by City Clerk Wilson and it was ordered filed, there being no objection (Councilman Walker absent).

Staff presentation was provided by Planning Associate Gibson, during which it was noted that the PLANNING COMMISSION RECOMMENDS: rezoning to ML (MlPP) Limited Manufacturing District with a Light Manufacturing Precise Plan Overlay in conformance with the General Plan, as supported by Ordinance "A" -- the PLANNING DEPARTMENT RECOMMENDS: rezoning to Residential Townhouse District (R-TH) with a General Plan Amendment (GPA) from Light Manufacturing to Low-Medium Density Residential, as supported by Ordinance "B" and Resolution "B-1".

Following staff clarification as desired by individual Councilmembers relating to the Earl Street "corridor" concept, Mayor Geissert invited audience input.

Mr. Dick Johnson, president of New Horizons Homeowners' Association, related on-going problems concerning the absence of proper maintenance of a landscape buffer zone between the New Horizons development and adjoining manufacturing uses. Staff follow-up was pledged by Planning Director Ferren.

Speaking on behalf of the Spencer Court Homeowners' Association, Mr. Marshall Gavin, 4524 Spencer Street (property west of the subject sump) urged residential zoning. Mr. Gavin stated that a precedent for residential development has been set in the area and should be followed -- concerns regarding height limitations and the possibility of a parking structure to support a manufacturing use were also voiced by this speaker.

Mr. Rodney Barnes, 4490 Spencer Court, secretary of that Homeowners' Association, confirmed their desire for R-TH zoning and added concerns regarding traffic and property values to those above voiced by Mr. Gavin. Absence of formal notice to the Homeowners' Association was noted by this speaker.

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Attorney Kevin Stapleton was present to represent Vel Miletich/Parnelli Jones, 20555 Earl Street (parcel to the east of the Victor Precinct Sump). Mr. Stapleton submitted a petition containing some 13 signatures indicating support of ML (M1-PP) zoning for the subject parcel.

Mr. Stapleton then read aloud a prepared statement urging that the City Council uphold the decision of the Planning Commission in this matter, and outlined a series of events which he maintained were representative of possible impropriety and collusion on the part of the City. This speaker requested that the City investigate the entire sale process and take such steps as are necessary to prevent the appearance of impropriety in the sale of this surplus land.

Responding to Attorney Stapleton's statements, City Attorney Remelmeyer refuted the allegation that the City Council has engaged in any impropriety surrounding the subject agenda item. Mr. Remelmeyer stated that the Council has not accepted any bids on the property, nor has it made a prior determination as to the best zoning designation for the property. Concurrence with the City Attorney's statements was voiced by City Manager Jackson.

Audience input then continued.

Mrs. Inez Van Lingen, 4014 West 179th Street, owner of property at 20621 Earl Street, strongly urged approval of ML (M1PP) zoning and indicated firm opposition to R-TH zoning for the sump parcel.

Mr. Ray Walter, 4448 Spencer (Spencer Court), pointed out that existing uses abutting the sump are not necessarily manufacturing in nature, although the property is zoned for light manufacturing -- e.g. tennis court and church. Possible problems with noise and chemical fumes in the event of ML zoning were pointed out by this speaker.

Mr. Vel Miletich, 20555 Earl Street, explained his position in strongly supporting manufacturing and opposing residential zoning for the sump parcel. Mr. Miletich further related the series of events which led him to question the procedure followed by the City in this matter and urged an investigation of same.

Last to speak on this case from the audience was Ms. Elsie Watkins, owner of industrial property northeast of the sump at 4231 Spencer Street. The encroachment of more townhouses would present a problem to the industrial uses in the area -- light manufacturing was urged by this speaker as the appropriate zone for the subject site.

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There being no one else in the audience who wished to address the issue, Councilman Applegate moved to close the hearing. His motion was seconded by Councilman Mock, and roll call vote was unanimously favorable (Councilman Walker absent).

Council discussion was then directed to the matter at hand.

Councilman Applegate expressed dismay at statements and allegations made by Mr. Stapleton, and affirmed that no decision has been made as to the use of the property or any successful bidder or purchaser therefor. Efforts of the City in attempting to assure appropriate development of the Victor Precinct area were historically reviewed by Mr. Applegate, with attention to providing adequate buffering and appropriate development controls.

The concept of mixed uses for this area, including housing, was deemed appropriate by Councilman Wirth, who also pointed out that the Planning Commission's recommendation for Light Manufacturing was by way of a three-to-two vote (two absent). The following was then offered --

MOTION: Councilman Wirth moved to concur with the Planning Department recommendation for rezoning to Residential Townhouse District (R-TH) with the appropriate General Plan Amendment (per Ordinance B and Resolution B-1). His motion was seconded by Councilman Mock.

Councilman Applegate indicated his desire to see further exploration of potential interest in the subject property and suggested that the question of rezoning be delayed at this point to allow an opportunity for the City to investigate that interest.

A SUBSTITUTE MOTION was then offered by Councilman Applegate to continue Agenda Item 15a, ZC 85-3 and GPA 85-3, to a Council meeting in October, the specific date to be established by the City Manager, to determine further interest on the part of potential developers. This motion was seconded by Councilman Nakano.

It was the recommendation of City Attorney Remelmeyer that it would be more appropriate for the Council to determine the zoning irrespective of public interest in the purchase of the property.

The intent of his motion was then clarified by Councilman Applegate who advised that he desires to look into acceptable

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potential uses -- he would prefer not to rezone the property until all available rezoning options were presented for consideration.

Concerns were expressed by Councilwoman Hardison regarding the types of buffering alternatives which might be considered to protect R-TH as well as industrial uses, and she indicated her concurrence with a postponement in order that additional information of this type might be provided by staff.

Council discussion continued. Additional history of development of the area was provided by Mayor Geissert, who pointed out that the matter has been further complicated by allowing uses on industrially zoned land that are not truly industrial uses (tennis club, churches, etc.) The Mayor indicated her concurrence with the motion offered by Councilman Wirth, (rezoning to R-TH) with emphasis on appropriate buffering between the zones.

Councilman Applegate indicated his preference for Light Manufacturing zoning as recommended by the Planning Commission. He then clarified the intent of his motion to include a request for the additional information desired by Councilwoman Hardison.

The SUBSTITUTE MOTION to continue the matter FAILED TO CARRY by way of the following tie vote:

| | | |
|---------|-----------------|----------------------------------|
| AYES: | COUNCILMEMBERS: | Applegate, Hardison, and Nakano. |
| NOES: | COUNCILMEMBERS: | Mock, Wirth and Mayor Geissert. |
| ABSENT: | COUNCILMEMBERS: | Walker. |

The MAIN MOTION to approve rezoning to R-TH CARRIED as is indicated below:

| | | |
|---------|-----------------|---|
| AYES: | COUNCILMEMBERS: | Hardison, Mock, Nakano, Wirth and Mayor Geissert. |
| NOES: | COUNCILMEMBERS: | Applegate. |
| ABSENT: | COUNCILMEMBERS: | Walker. |

At the request of Mayor Geissert, City Clerk Wilson read title to the following:

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ORDINANCE "B"

ORDINANCE NO. 3173

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, AMENDING DIVISION 9 OF THE TORRANCE MUNICIPAL CODE TO RECLASSIFY THE CITY-OWNED VICTOR PRECINCT SUMP PROPERTY, AS DESCRIBED IN ZONE CHANGE 85-3, TO RESIDENTIAL TOWNHOUSE DISTRICT (R-TH ZONE) ZC 85-3: TORRANCE PLANNING COMMISSION

MOTION: Councilman Wirth moved to approve Ordinance No. 3173 at its first reading. His motion was seconded by Councilman Mock, and carried as is indicated below:

- AYES: COUNCILMEMBERS: Hardison, Mock, Nakano, Wirth and Mayor Geissert.
- NOES: COUNCILMEMBERS: Applegate.
- ABSENT: COUNCILMEMBERS: Walker.

The City Clerk then read title to --

RESOLUTION NO. 86-226

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, AMENDING THE LAND USE ELEMENT OF THE GENERAL PLAN ADOPTED AUGUST 29, 1974, BY RESOLUTION NO. 74-194, TO REVISE THE DESIGNATION OF CITY-OWNED VICTOR PRECINCT SUMP PROPERTY LOCATED ON THE SOUTH SIDE OF SPENCER STREET APPROXIMATELY 650 FEET EAST OF ANZA AVENUE, FROM LIGHT MANUFACTURING TO LOW-MEDIUM DENSITY RESIDENTIAL GPA 85-3: TORRANCE PLANNING COMMISSION

MOTION: Councilman Nakano moved for the adoption of Resolution No. 86-226. This motion, seconded by Councilman Mock, carried by way of the following roll call vote:

- AYES: COUNCILMEMBERS: Hardison, Mock, Nakano, Wirth and Mayor Geissert.
- NOES: COUNCILMEMBERS: Applegate.
- ABSENT: COUNCILMEMBERS: Walker.

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City Attorney Remelmeyer suggested that the concerns voiced by Councilwoman Hardison as to appropriate buffering be provided by way of instruction to staff. There being no objection, it was so indicated.

NOTE: For continued discussion on this agenda item, see below.

* * *

At 9:25 p.m., a brief recess was called. The Council reconvened at 9:42.

* * *

Referencing certain statements and allegations which came forth during Council consideration of Item 15a, above, Mayor Geissert requested that staff specify the procedure to be followed by the City at this point.

Assistant City Manager Ng advised that the Council may now either work with the proposals for residential development already received, or direct the Land Management Team to readvertise and invite other developers who might be interested.

Councilman Mock indicated his preference that the matter be readvertised. Mayor Geissert agreed, noting her desire to see as many development proposals as possible -- buffering between the residential and industrial uses to be a significant consideration, per the Mayor. There were no objections, and it was so ordered.

15b. PP 86-17, NEGRETE AND ASSOCIATES:

Mayor Geissert announced that this was the time and place for City Council consideration of an administrative appeal of a Planning Commission decision to allow the construction of a new two-story single-family residence in the Hillside Overlay district in the R-1 zone at 419 Via El Chico: PP 86-17, NEGRETE & ASSOCIATES.

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

During the staff presentation by Planning Associate Gibson, it was noted that the PLANNING COMMISSION and PLANNING DEPARTMENT recommend denial of the administrative appeal and approval of the project.

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Following the formal staff presentation on this item, there were Council inquiries regarding geological conditions of the site; potential liability for the City; safety factors; etc. Response was elicited from staff members conversant with these issues.

It was suggested by City Attorney Remelmeyer that the Council might wish to satisfy itself regarding the hillside safety situation in this entire area prior to approval of a Precise Plan of development on this particular lot. Mr. Remelmeyer also recommended that the possibility of requiring some waivers on the part of the present or future owners of the subject parcel might be explored.

The proponent was then invited to address the Council.

Mr. Jesse Negrete, 4231 181st Street, representing the current owner of the subject property, reviewed the steps taken by the property owner to assure himself of the structural stability of the slope. Noting that the project conforms to all regulations and guidelines of the City of Torrance, Mr. Negrete urged approval subject to Code requirements.

The next speaker, Mr. Bob David, 424 Via El Chico, reiterated his concerns voiced at the Planning Commission hearing regarding aesthetics and setbacks, and the cumulative effect of setback "variances" in the area. Setback waivers were reviewed by staff as applied to the subject case, and to existing residences across the street.

Mr. Richard Barkley, 420 Via El Chico, voiced his concerns regarding the stability of the hill and the potential risk involved.

Mr. Richard Martin, President of Base Line Consultants, Soils Engineer for this project, 2114 Paseo del Mar, San Pedro, described his involvement in the subject proposal and his testing of the site. Mr. Martin advised that he has come to the conclusion that the site can be built upon in a safe manner. Comparing this site with Mesa Street and Via Corona, Mr. Martin advised that the other areas are affected by a fault which has affected the ground water condition -- El Chico is not.

The proponent, Mr. Jim Holland, requested approval conditioned on the proposition that the soil work is satisfactory.

Mr. Paul Heim, 5602 Riviera Way, owner of adjacent property, noted that he is desirous of a timely resolution of the subject case.

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Mr. Marvin Jerry Holmes, 404 Via El Chico, expressed deep concerns regarding the existing traffic situation in the area, deeming it unsafe, and noted his opposition to any further development on this street until the matter of traffic safety has been dealt with effectively.

Mr. Mike Dyer, 5508 Riviera Way, requested that the engineers investigating this matter specifically address the question of whether or not construction on the site would improve the stability of the property from the effect of the elements, rather than reducing it.

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

Council discussion ensued. Concerns were directed to the stability of the slope and the need for further assurance in that regard. The serious nature of the existing traffic situation was stressed by Councilman Nakano, who urged that that matter be addressed regardless of the ultimate determination regarding the buildable nature of the subject lot.

MOTION: Councilman Mock moved to continue Agenda Item 15b to the City Council meeting of September 23, 1986, 7:00 p.m., with the request that the Building and Safety Department review the soils report and determine the safety of the lot for building. His motion was seconded by Councilman Wirth.

Councilman Applegate offered a SUBSTITUTE MOTION to concur with the Planning Commission to deny the appeal and approve the project based on the fact that the Director of Building and Safety will make the appropriate decision based on the technical data presented, and with the recommendation that the Department of Transportation investigate the traffic problems and take corrective action.

The Substitute Motion DIED FOR LACK OF A SECOND.

Prior to roll call vote on the Main Motion, Councilwoman Hardison also suggested that subsequent lots be investigated for future development.

Councilman Nakano requested that the motion include direction to the City Attorney to analyze the legality of defraying the liability in terms of a waiver. Councilman Mock SO AMENDED HIS MOTION. The amendment was accepted by Councilman Wirth, as seconder of the motion, and roll call vote was unanimously favorable (Councilman Walker absent).

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17. ADMINISTRATIVE MATTERS:

17a. TELEPHONE SYSTEM MAINTENANCE CONTRACT:

RESOLUTION NO. 86-227

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AWARDING A CONTRACT FOR MAINTAINING THE CITY'S TELEPHONE SYSTEM IN GOOD OPERATING CONDITION

MOTION: Councilman Nakano moved for the adoption of Resolution No. 86-227. His motion, seconded by Councilwoman Hardison, carried unanimously by roll call vote (Councilman Walker absent).

17b. EXECUTIVE SESSION:

See Pages 1 and 2.

Action as a result of the earlier Executive Session was now taken and is reflected below.

MOTION: Councilman Applegate moved to concur with the City Attorney's recommendation in the case of Calvin Dale Pete v. City of Torrance, et al. His motion was seconded by Councilman Mock, and roll call vote proved unanimously favorable (Councilman Walker absent).

17c. WINTERIZATION OF THE SLOPE FAILURE BETWEEN VIA CORONA AND VISTA LARGO:

Staff presentation was provided by Management Programs Administrator Tilden, and the following two options were presented for Council consideration.

- A. The first option is to attempt to preserve the residence by constructing an underpinning system to temporarily support the structure and then to construct a buttress wall at the top of the slope to provide permanent support for the structure. This buttress wall could also be incorporated into the final design for the slope restoration.

Design criteria for the buttress wall has been prepared by Converse Consultants and is described in the attached report.

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Once completed the slope would be winterized and the buttress wall would be required to stand until spring of 1987 before further slope restoration work could continue. It would not be practical to simply underpin the residence for this length of time without constructing the buttress wall due to the potential of further slope movement.

- B. The second option would be to condemn and demolish the residence and grade the remaining site to reduce the hazard of further collapse at the top.

A buttress wall, that could be incorporated into the final design for slope restoration, would be installed to protect the top of the slope, however this would be constructed on the vacated site.

No further work, other than winterization would proceed until spring of 1987.

RECOMMENDATION OF CITY MANAGER (CITY ATTORNEY CONCURS):

It is the recommendation that Option B be approved and that the two resolutions pertaining thereto be adopted.

Mayor Geissert invited audience input.

Attorney Richard Rockwell, 315 Centennial Way, Tustin, was present to represent Mr. Fred Smith, owner of property at 4730 Via Corona. Mr. Rockwell noted their opposition to staff's recommendation and stressed the desire of Mr. Smith to save his house. The sequence of events to date, as well as correspondence of record, were reviewed by this speaker, and the ultimate aim of Mr. Smith to save the existing residence was underscored.

Next to speak was Mr. Keith Ehlert, Engineering Geologist, 25202 Crenshaw Boulevard, who stated his opinion that the damage to the Smith house was probably due to the yielding of materials under the house because of the lateral loss of support; not due to active slide movement. Mr. Ehlert illustrated (with the aid of transparencies) the technical aspects of both Option A and Option B, and urged that necessary steps be taken to save the residence.

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The next representative of the proponent to address the Council was Mr. Vic Robinette, a General Contractor, 4539 Newton Street, who provided a detailed cost comparison, based on information available to him, of the options being considered (written material of official record).

Discussion developed with response to Council concerns and comments provided, as appropriate, by City staff and representatives of the Mr. Smith. The question of liability was addressed by City Attorney Remelmeyer.

Mr. Fred Smith, 4730 Via Corona, then addressed the assembly and stated his willingness to pay the \$35,000 estimated to accomplish the underpinnings to his house, provided his attorney and City Attorney Remelmeyer are able to come to an agreement to allow such action.

The broad based concern of the City which includes preservation of the slope during the winter rainy season was reviewed by City Manager Jackson, who pointed out that the plan presented by Mr. Smith for the preservation of his home would leave the City at substantial risk. The proposed winterization program (Option B) was deemed by the City Manager as the best possible way of approaching the situation at this time.

Continuing discussion resulted in the following --

MOTION: Councilman Mock moved to concur with staff recommendation for approval of Option B. His motion was seconded by Councilman Wirth.

Discussion continued. It was affirmed by Management Programs Administrator Tilden that information from the City's geological consultants will be made available to Mr. Smith.

Councilwoman Hardison requested that specific information as to what can be physically accomplished at this site prior to the inception of winter rains be provided by the City's consultant.

Further information as to the acceptance of liability was also requested by Councilman Wirth prior to the September 30th hearing to consider the adoption of a Resolution of Necessity to condemn the Smith property (per resolution recommended by the City Manager for adoption this evening).

Councilman Mock's above motion to approve Option B, carried unanimously by roll call vote (Councilman Walker absent).

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At the request of Mayor Geissert, City Clerk Wilson read title to the following --

RESOLUTION NO. 86-228

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING THE CITY ATTORNEY TO PREPARE A CONTRACT FOR EMINENT DOMAIN SERVICES WITH THE LAW FIRM OF DOLLE AND DOLLE

MOTION: Councilman Nakano moved to adopt Resolution No. 86-228. His motion, seconded by Councilman Wirth, carried unanimously by roll call vote (Councilman Walker absent).

RESOLUTION NO. 86-229

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE MAKING CERTAIN FINDINGS, AND SETTING A HEARING FOR CONSIDERATION OF THE ADOPTION OF A RESOLUTION OF NECESSITY CONCERNING THE PROPERTY AT
4730 VIA CORONA

MOTION: Councilman Nakano moved for the adoption of Resolution No. 86-229. This motion was seconded by Councilman Wirth, and roll call vote was unanimously favorable (Councilman Walker absent).

It was directed by Mayor Geissert that the principals involved make the best use of the time between now and the hearing to work together and share technical data -- there is an urgent need to protect the rest of the area, the Mayor reminded those present.

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20. CONSENT CALENDAR:

- 20a. SALE OF OLD SURPLUS EMERGENCY GENERATOR
PRICE: \$1600.00 including tax.

RECOMMENDATION OF DIRECTOR OF GENERAL SERVICES:

Staff recommends that Council authorize the sale of the unit to the R. J. Lovingier, Inc. company of Signal Hill, California in the amount of \$1600.00, including tax.

- 20b. COUNCIL AWARD OF CONTRACT: For Annual Requirements of Red Highway Safety Flares
REF. BID NO. B86-60
EXPENDITURE: \$16,976.95

RECOMMENDATION OF DIRECTOR OF GENERAL SERVICES:

It is staff's recommendation that Council award a contract for the required annual supply of twenty minute red highway safety flares to the low bidder, the Olin Signal Products Company of East Alton, Illinois in the total amount of \$16,976.95.

- 20c. COUNCIL AWARD OF CONTRACT: To furnish budgeted 1987 annual requirements of periodical subscriptions for the Torrance Library system.
REF. BID NO. B86-63
ANTICIPATED EXPENDITURE: \$34,992.49.

RECOMMENDATION OF DIRECTOR OF GENERAL SERVICES:

As both staffs from the Library and the Purchasing Departments have mutually determined that the EBSCO SUBSCRIPTION SERVICE of Los Angeles, California is the LOW RESPONSIBLE bidder for this bid requirement, it is recommended that Council award a contract to them for the required library periodicals for the calendar year of 1987, in the total anticipated amount of \$34,992.49.

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20d. COUNCIL APPROPRIATION of SB300 Matching Federal Funds and Award of Contract for the Removal and Reconstruction of Curb and Gutters.
 REF. BID NO. B86-57
 EXPENDITURE (CONTRACT) NOT TO EXCEED: \$220,000.00
 FEDERAL FUNDS APPROPRIATION REQUIRED: \$112,000.00

RECOMMENDATION OF DIRECTOR OF GENERAL SERVICES:

It is staff's recommendation that Council:

1. Appropriate \$112,000.00 of additional SB300 Federal Matching Funds.
2. Award a contract to the low bidder, Onicnac Custom Contracting of Gardena, California, in the total amount not to exceed \$220,000.00.

20e. REDUCTION OF SUBDIVISION BONDS - TRACT NO. 43609
 SUBDIVIDER: CALPROP CORPORATION
 ENGINEER: E. L. PEARSON
 LOCATION: 19300 INGLEWOOD (FORMER STEELE SCHOOL SITE)
 NO. OF LOTS: 60.

The developer posted bonds with Freemont Indemnity Co. as follows:

| <u>Bond Type</u> | <u>Bond No.</u> | <u>Existing Amount</u> | <u>Proposed Reduction to:</u> |
|------------------|-----------------|------------------------|-------------------------------|
| Performance | LA-101572 | \$342,000.00 | \$85,500.00 |
| Payment | LA-101572 | 171,000.00 | 42,750.00 |
| Inspection | LA-101573 | 8,840.00 | 3,200.00 |

RECOMMENDATION OF CITY ENGINEER:

The Engineering Department recommends that the subdivision bonds be reduced as indicated.

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

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At 12:06 a.m. (September 10, 1986) the City Council convened as Redevelopment Agency of the City of Torrance, reconvening as City Council at 12:08 a.m.

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22. ORAL COMMUNICATIONS:

22a. Councilman Applegate requested that staff initiate the application process for the All American Cities program -- the following suggestions were offered:

- YMCA - Community involvement;
- Preservation of Madrona Marsh;
- Airport Noise abatement program; and
- Downtown Redevelopment projects.

It was recommended by Mayor Geissert that all Councilmembers provide input to this process.

22b. Councilman Mock announced that the Thomas Keller Memorial dedication ceremony is scheduled for September 10, 1986, at 10:00 a.m.

22c. Councilman Wirth expressed appreciation for information provided by staff regarding drug prevention and child care programs.

22d. Councilman Wirth referenced a request recently submitted by Mr. Art Valdez and offered the following --

MOTION: Councilman Wirth moved that the City Council invest the City Attorney with the power to approve Mr. Art Valdez' request (of record) regarding loan documents, subject to the City Attorney's approval and authorizing the Mayor to sign any amendment to the lease necessitated by these loan documents. His motion was seconded by Councilman Wirth, and carried without objection (Councilman Walker absent).

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22e. Mayor Geissert announced the appointment of Councilman Nakano as Mayor Pro Tem from the present time until March 8, 1987.

The Mayor also expressed appreciation for Councilman Mock having served in that capacity during the past six month period.

22f. Mr. Ed Lotus, 418 North Labrea, West Covina, inquired regarding action under the Consent Calendar agenda items this evening and was provided with the desired information by staff.

At 12:20 a.m. (September 10, 1986), the meeting was formally adjourned to Tuesday, September 16, 1986, 5:30 p.m.

Adjournment was dedicated to the memories of Mr. Alex Romvari and Rear Admiral Frank Higbee.

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Katy Geissert
Mayor of the City of Torrance

Donald E. Nelson
Clerk of the City of Torrance

Peggy Laverty
Minute Secretary

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