

I N D E X

Torrance City Council - November 17, 1987

<u>SUBJECT:</u>	<u>PAGE</u>
<u>OPENING CEREMONIES:</u>	
1. Call to Order	1
2. Roll Call	1
3. Flag Salute/Invocation	1
4. Approval of Minutes/Motion re Further Reading	1,2
5. Motion re Posting of Agenda	2
6. Withdrawn or Deferred Items	2
7. Council Committee Meetings	2
<u>8. COMMUNITY MATTERS:</u>	
8a. Fifteen-Year Service Award	2
8b. Ten-Year Service Award	2
<u>10. TRANSPORTATION/PUBLIC WORKS MATTERS:</u>	
10a. Encroachment Agreement - 25803 Crest Road	3
10b. Encroachment Agreement - 5513 Sunnyview Street	3
10c. Vacation of Portion of Plaza Del Amo	3,4
10d. South Bay Galleria Transit Terminal	4
<u>11. POLICE AND FIRE MATTERS:</u>	
11a. Adoption of 1985 Uniform Fire Code	4
<u>13. ENVIRONMENTAL/BUILDING & SAFETY MATTERS:</u>	
13A. Ordinance Regulating Smoking	4-8
13b. Signs re Alcoholic Beverage Consumption	8,9
<u>14. PERSONNEL MATTERS:</u>	
14a. Water Service Lead Technician Class Specification	9
<u>15. HEARINGS:</u>	
15a. CUP 87-37, GPA 87-9, ZC 87-5, Karl Fechner	11-20
<u>17. ADMINISTRATIVE MATTERS:</u>	
17a. Salary and Benefit Adjustments	10
17b. Disaster Council Membership	10
17c. Committee Report on Executive, Exempt and Elected Officials' Salaries	11
17d. Bartlett Senior Citizens Center	20,21
17e. First Quarter Budget Review	21
17f. Vine Street Access/SCROC Parking Lot	21-25
17g. Executive Session	28
<u>20. CONSENT CALENDAR:</u>	
20a. Award of Contract - Guard Service	25,26
20b. Award of Contract - ECG Monitor Equipment	26
20c. Award of Contract - Courthouse Driveway	26
<u>22. ORAL COMMUNICATIONS:</u>	
22a. Councilman Applegate re AYSO victory recognition	27
22b. Councilman Applegate re Kashiwa trip	27
22c. Councilwoman Hardison re appreciation to staff re report	27

City Council
November 17, 1987

<u>SUBJECT:</u>		<u>PAGE</u>
	<u>22. ORAL COMMUNICATIONS (CONT):</u>	
22d.	Councilman Nakano re recycling ordinance	27
22e.	Councilman Nakano re best wishes to Parks and Recreation Director Barnett	27
22f.	Councilman Nakano re Kashiwa trip	27
22g.	Councilman Wirth re John F. Kennedy Memorial Services	27
22h.	Mr. Larry Gitschier re Greenwood facility	27
22i.	Mr. Larry Gitschier re 26 years as Commissioner	27

Adjournment was at 12:04 a.m., November 18, 1987

#

Peggy Laverty
Minute Secretary

City Council
November 17, 1987

November 17, 1987

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, November 17, 1987, at 5:38 p.m., in the Council Chambers at Torrance City Hall.

2. ROLL CALL:

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

Absent: None.

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

3. FLAG SALUTE/INVOCATION:

Ms. Vera Holcomb led in the salute to the flag.

The invocation for the meeting was provided by Reverend Tony Roberts, First Assembly of God Church.

4. APPROVAL OF MINUTES/MOTION RE FURTHER READING:

MOTION: Councilman Applegate moved to approve the City Council minutes of October 20, 1987, as recorded. His motion, seconded by Councilman Mock, carried unanimously by roll call vote.

City Council
November 17, 1987

MOTION: 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, seconded by Councilman Mock, was unanimously approved by roll call vote.

5. MOTION RE POSTING OF AGENDA:

MOTION: Councilman Applegate moved to accept and file the report of the City Clerk on the posting of the agenda for this meeting. This motion was seconded by Councilman Mock, and roll call vote was unanimously favorable.

6. WITHDRAWN OR DEFERRED ITEMS:

Item 10d: SOUTH BAY GALLERIA TRANSIT TERMINAL -- deferred for one week to the Council meeting of November 24, 1987, 7:00 p.m., per City Manager Jackson.

7. COUNCIL COMMITTEE MEETINGS:

None scheduled.

8. COMMUNITY MATTERS:

8a. FIFTEEN-YEAR SERVICE AWARD:

A fifteen-year service award was presented by Mayor Geissert to Mr. Dan Collins, former City Traffic Engineer. The Mayor recognized Mr. Collins' exemplary service to the City and noted his eminent departure for employment in the City of Hayward -- Best Wishes in all future endeavors were extended on behalf of the entire Council.

8b. TEN-YEAR SERVICE AWARD:

Mayor Geissert presented a service award to Mr. William Ghio, Civil Service Administrator, in recognition of his ten years of service to the City.

City Council
November 17, 1987

10. TRANSPORTATION/PUBLIC WORKS MATTERS:

10a. ENCROACHMENT AGREEMENT - 25803 CREST ROAD:

RESOLUTION NO. 87-259

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING THE EXECUTION OF THAT CERTAIN ENCROACHMENT AGREEMENT BETWEEN THE CITY OF TORRANCE AND CARYL M. GUNDERSON PERMITTING THE ENCROACHMENT IN THE PUBLIC RIGHT-OF-WAY OF 25803 CREST ROAD WITH TWO CONCRETE BLOCK WALLS

MOTION: Councilman Nakano moved to adopt Resolution No. 87-259. His motion, seconded by Councilman Mock, carried un-animously by roll call vote.

[It was affirmed, in response to City Manager Jackson that it was the Council's intent in the above action to include waiver of fees as requested.]

10b. ENCROACHMENT AGREEMENT AT 5513 SUNNYVIEW STREET:

RESOLUTION NO. 87-260

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING THE EXECUTION OF THAT CERTAIN ENCROACHMENT AGREEMENT BETWEEN THE CITY OF TORRANCE AND MARK EKSTRAND PERMITTING THE ENCROACHMENT IN THE PUBLIC RIGHT-OF-WAY OF 5513 SUNNYVIEW STREET WITH TWO TERRACED REINFORCED CONCRETE RETAINING WALLS

MOTION: Councilman Nakano moved to adopt Resolution No. 87-260. This motion was seconded by Councilwoman Hardison, and roll call vote was unanimously favorable.

10c. VACATION OF PORTION OF PLAZA DEL AMO:

RESOLUTION NO. 87-261

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE ORDERING THE SUMMARY VACATION OF THE NORTHERLY 39 FEET OF PLAZA DEL AMO EASTERLY OF ABALONE AVENUE

City Council
November 17, 1987

MOTION: Councilman Nakano moved to adopt Resolution No. 87-261. His motion, seconded by Councilwoman Hardison, carried unanimously by roll call vote.

10d. SOUTH BAY GALLERIA TRANSIT TERMINAL:

Deferred to November 24, 1987, 7:00 p.m. (see Page 2).

11. POLICE AND FIRE MATTERS:

11a. ADOPTION OF 1985 UNIFORM FIRE CODE:

RECOMMENDATION:

It is the request of the Fire Chief and City Manager that your Honorable Body reschedule the public hearing on the adoption of the 1985 Uniform Fire Code from November 24, 1987, to Tuesday, December 1, 1987, at 5:30 p.m.

MOTION: Councilman Wirth moved to concur with the above stated recommendation of the Fire Chief. His motion, seconded by Councilman Mock, carried unanimously by roll call vote.

13. ENVIRONMENTAL/BUILDING AND SAFETY MATTERS:

13a. ORDINANCE REGULATING SMOKING IN PUBLIC PLACES:

Background information pertaining to the subject agenda item, which was previously considered by the Council at its October 13th meeting, was provided by Environmental Quality Administrator McElroy, who noted the following --

RECOMMENDATION:

The Building and Safety Department staff recommends that your Honorable Body adopt Ordinance "B". This ordinance provides a minimum of 50% of seating area for non-smokers in places of employment lunch rooms and in restaurants that cater to the general public and maintains regulations that provide maximum protection for the non-smoker's health. The "B" Ordinance reflects the recommendation of the Environmental Quality Commission.

City Council
November 17, 1987

Following further clarification by Ms. McElroy in response to individual Council questions, Mayor Geissert invited audience input.

Speakers and a brief synopsis of their comments follow.

Dr. William McCarthy, Research Psychologist with the UCLA Division of Cancer Control and a volunteer with the American Cancer Society --

Recommended Ordinance "B" with an added provision to restrict smoking in day care centers.

*

Mr. Seymour Uberman, 4116 Konya Drive --

Urged adoption of Ordinance "B".

*

Ms. Marjorie Maxwell, 4309 West 231st Street --

Read aloud her letter (of official record) which accompanied a petition containing some 260 signatures supporting a non-smoking ordinance.

*

Ms. Toni Sargent, 156 Via la Circula, representing Council of PTA's as their Director of Health --

Concurred in proposed adoption of smoking regulations and submitted, for the record, copies of a Newsletter from the California Medical Education Research Foundation and copies of the Summer 1987 California State PTA Bulletin.

*

City Council
November 17, 1987

Mr. Daniel Stock, 20440 Anza Avenue, Apt. 111 --

Submitted recent newspaper articles pertaining to the subject consideration;

Urged adoption of stringent smoking regulations, suggesting stronger requirements for restaurants and places of employment; control of cigarette advertising; and prohibition of smoking in malls.

*

Dr. Maurine Sasoon, 3602 Estates Lane, Palos Verdes Peninsula --

Submitted petition containing some ten signatures of individuals favoring smoking regulations, and noted her concurrence with Ordinance "B". A safe and healthful work environment was of particular concern to this speaker.

*

Dr. Daniel Koe, 4201 Torrance Boulevard, Medical Director of Pulmonary Services at Little Company of Mary Hospital; and Attending Physician and Clinical Assistant Professor at UCLA School of Medicine --

Speaking on behalf of the many patients with lung problems, urged adoption of effective legislation against the hazards of smoking.

* * *

There being no other members of the audience who wished to address this issue, Council discussion then developed.

City Council
November 17, 1987

Councilman Walker addressed the need for smoking regulations and restrictions and, deeming the subject ordinance a "good first step", offered the following --

MOTION: Councilman Walker moved that the City Council support Ordinance "B", with the following modification:

SECTION 45.15.5 (a) to read: ". . . private residences, except when serving as a licensed child care center."

The motion was seconded by Councilman Wirth.

Prior to roll call vote, City Attorney Remelmeyer recommended that the following statement be added to the ordinance --

"That wherever a provision of State law is more restrictive to the benefit of the non-smoker, then State law shall prevail over the provisions of this ordinance."

Councilmen Walker and Wirth accepted the City Attorney's above recommendation as an AMENDMENT to the motion.

A brief Council discussion ensued. Concerns were expressed by Councilman Applegate regarding possible involvement of the City in unresolved disputes in the business community arising as a result of the adoption of Ordinance "B". Mr. Applegate requested that a report be submitted to the Council after one year setting forth the number of known incidents of dispute and the involvement of the City therein.

Roll call vote on the motion to approve Ordinance "B" with amendments as stated, proved unanimously favorable.

At the request of Mayor Geissert, City Clerk Wilson assigned a number and read title to --

City Council
November 17, 1987

ORDINANCE "B"

ORDINANCE NO. 3210

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF TORRANCE, CALIFORNIA ADDING
ARTICLE 15 TO CHAPTER 5 OF DIVISION 4 OF
THE TORRANCE MUNICIPAL CODE REGULATING
SMOKING IN DESIGNATED ENCLOSED PUBLIC
PLACES AND WORKPLACES

MOTION: Councilman Nakano moved to approve Ordinance No. 3210, AS AMENDED, at its first reading. His motion was seconded by Councilman Walker, and roll call vote was unanimously favorable.

13b. SIGNS RE DANGER OF CONSUMPTION OF ALCOHOLIC BEVERAGES DURING PREGNANCY:

RECOMMENDATION:

The City Attorney has found the ordinance to be suitable for Council adoption and City enforcement. It is requested by Councilman Mock that the ordinance be considered by the Torrance City Council.

At the request of Mayor Geissert, City Attorney Remel-meyer clarified the provisions of the proposed ordinance as set forth in the written material on this agenda item.

Audience input was invited by the Mayor.

Speakers who urged favorable Council action on this item were:

Mr. Herbert Fine, President of the Board of Trustees of the Harbor Developmental Disabilities Foundation, 21231 Hawthorne Boulevard.

Ms. Patricia Del Monico, Executive Director of the Harbor Developmental Disabilities Foundation.

Ms. Betty Battenburg, 1334 Post Avenue, representing the South Bay Harbor Coalition on Alcohol and Drug Problems.

City Council
November 17, 1987

Ms. Toni Sargent, 156 Via la Circula, representing the Torrance Council PTA as Director of Health (submitted, for the record, a resolution from the State PTA, which was adopted by the National PTA).

MOTION: Councilman Walker moved to concur with staff's recommendation. His motion was seconded by Councilman Wirth, and roll call vote was unanimously favorable.

City Clerk Wilson then read title to --

ORDINANCE NO. 3211

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA ADDING ARTICLE 16 OF CHAPTER 5 OF DIVISION 4 TO THE TORRANCE MUNICIPAL CODE RELATING TO ALCOHOLIC BEVERAGE WARNING SIGNS FOR PREGNANT WOMEN

MOTION: Councilman Nakano moved to approve Ordinance No. 3211 at its first reading. His motion, seconded by Councilman Walker, carried unanimously by roll call vote.

14. PERSONNEL MATTERS:

14a. WATER SERVICE LEAD TECHNICIAN CLASS SPECIFICATION:

RESOLUTION NO. 87-262

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE SETTING FORTH HOURS, WAGES AND WORKING CONDITIONS FOR EMPLOYEES REPRESENTED BY THE TORRANCE MUNICIPAL EMPLOYEES AMENDING RESOLUTION 87-196

MOTION: Councilman Nakano moved to adopt Resolution No. 87-262, as amended (per supplementary agenda material). His motion, seconded by Councilman Walker, carried unanimously by roll call vote.

City Council
November 17, 1987

15. HEARINGS:

15a. CUP 87-37, GPA 87-9, ZC 87-5: KARL FECHNER ENTERPRISES

See Page 11.

17. ADMINISTRATIVE MATTERS:

17a. SALARY AND BENEFIT ADJUSTMENT APPROPRIATIONS:

RECOMMENDATION:

The Finance Director recommends approval of the following 1987-88 appropriations to cover adopted salary, wage and benefit adjustments:

From General Fund	\$2,672,026
From Airport Fund	26,713
From Water Revenue Fund	64,738
From Transit System fund	18,154

MOTION: Councilman Wirth moved to concur with the above recommendation of the Finance Director. His motion, seconded by Councilwoman Hardison, carried unanimously by roll call vote.

17b. RECOMMENDATION RE DISASTER COUNCIL MEMBERSHIP:

RECOMMENDATION:

The Public Safety Committee recommends that the Disaster Council membership remain with four appointed members.

Councilman Mock, Chairman of the Council's Public Safety Committee, reviewed their report of written record, noting that the matter of the number of members on the City's Disaster Council is being monitored and will be considered again if needed.

MOTION: Councilman Walker moved to receive and file the subject report. His motion was seconded by Councilman Wirth, and carried without objection.

City Council
November 17, 1987

17c. REPORT OF AD HOC COMMITTEE ON EXECUTIVE, EXEMPT AND ELECTED OFFICIALS' SALARIES:

At the request of Mayor Geissert, Councilman Mock, Chairman of the Ad Hoc Council Committee on Executive, Exempt and Elected Officials' Salaries, reviewed the committee's report of written record.

RESOLUTION NO. 87-263

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING RESOLUTION NO. 87-166 AND ADOPTING A NEW PROCEDURE GOVERNING EMPLOYMENT COMPENSATION FOR THE CITY ATTORNEY

MOTION: Councilman Nakano moved to adopt Resolution No. 87-263. His motion was seconded by Councilman Walker.

Prior to roll call vote on the motion, Councilman Applegate expressed his personal opposition to the subject resolution, noting his concerns regarding the procedure outlined and its possible precedent-setting implications.

The above motion for adoption of Resolution No. 87-263 carried by way of the following roll call vote:

AYES: COUNCILMEMBERS: Hardison, Mock, Nakano, Walker, Wirth and Mayor Geissert.

NOES: COUNCILMEMBERS: Applegate.

The Council now returned to --

15a. CUP 87-37, GPA 87-9, ZC 87-5: KARL FECHNER ENTERPRISES, INC.

Mayor Geissert announced that this was the time and place for Council consideration of a Planning Commission recommendation for a General Plan Amendment from Public/Quasi-Public/Open Space to Light Industrial and Zone Change from PU (Public Use) to ML (M1-PP) (Limited Manufacturing with a Light Manufacturing Precise Plan Overlay) and an administrative appeal of a Planning Commission approval of a Conditional Use Permit to allow the construction of a light industrial business park and a

City Council
November 17, 1987

mini-storage facility at the Grace Wright School site at 3828 Del Amo Boulevard and 3915 Spencer Street. CUP 87-37, GPA 87-9, ZC 87-5: KARL FECHNER ENTERPRISES, INC.

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

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

Further staff clarification and expansion were provided as desired. Areas of concern addressed at this time included: setbacks; grade levels; allowable uses in ML Zone; wall/building heights; etc.

Mayor Geissert then invited the proponent to speak.

Mr. Karl Fechner, 357 Van Ness Way, provided background information regarding his purchase of this former school site and plans for development thereof. Mr. Fechner described his proposed development which he deemed to be compatible with existing uses on both sides of the property (commercial and residential), and noted that the project will serve as a buffer between the existing residential uses and Hawthorne Boulevard businesses.

Architect for the project, Mr. Tom Kowalski, Kowalski-Harding Architects, 550 East Del Amo Boulevard, Carson, described the subject project. Aided by slides, this speaker related details of the development pertaining to building height (Building C); distance from residential; westerly wall height; loading dock orientation (Building E); location of trash enclosures; etc.

Mr. Kowalski then provided detailed information in response to specific Council inquiries, following which Mayor Geissert invited audience input.

Ms. Fran Quinlan, 4208 Michelle Drive, voiced firm opposition to the subject proposal (correspondence dated November 4, 1987, included in the official record of this case) enumerating her concerns as follows.

- Negative effect on adjacent residential area;
- Truck traffic noise and pollution;
- Aesthetics;
- Insufficient notification.

City Council
November 17, 1987

This speaker urged the Council to address means of maintaining the quality of life for residents of the subject area, and to initiate dialog and planning studies to protect residents and preserve the public land as open space.

*

Ms. Wie Yue Lim, 4111 Michelle Drive, reviewed points contained in a letter urging rejection of the proposed development and protection of the adjoining residential neighborhood. This letter, containing signatures of ten residents of the area, was then submitted by Ms. Lim as part of the official record on this case.

At this time, Councilman Mock requested that the City Attorney clarify, for the benefit of the audience, legal aspects pertaining to the suggestion that this former school site be retained as open space.

City Attorney Remelmeyer advised that the City has no authority to retain the subject site as Open Space inasmuch as the law requires that the property be zoned for a use which would give the property owner a reasonable return on his investment. The City would have to purchase the property at its fair market value in order to retain Open Space zoning, per Mr. Remelmeyer -- in this case, residential, commercial or industrial use would be permitted.

*

Ms. Pam Anderson, 4106 Michelle Drive, expressed opposition to the proposed rezoning specifying concerns regarding the negative aesthetic impact on the residential neighborhood, decreased sunlight in the back yards, etc. This speaker suggested that, if a light industrial development is inevitable, the design should consist of materials which would blend in with the homes and that a 10-foot, heavily-landscaped setback be maintained along the residential property line.

*

City Council
November 17, 1987

Mr. Bill Maddeo, 20326 Mansel Avenue, voiced opposition to the proposal, noting the negative effect on residential uses which is compounded by the grade differential between the properties. Retention of open space use was requested by this speaker.

*

Dr. David Stuart, 4112 Konya Drive, requested additional information regarding the legal aspects surrounding the rezoning of the subject property.

Detailed clarification, as desired, as to the School District's right to sell the site as surplus, and the zoning parameters and legal requirements governing the City's position (including the possibility of liability for inverse condemnation damages, etc.) was set forth by the City Attorney. The requirement of the City that reasonable use of the property be provided was stressed by City Attorney Remelmeyer.

Following Mr. Remelmeyer's explanation, Dr. Stuart urged the Council to consider residential as an alternative use to the use proposed in order to protect the adjoining residential neighborhood.

The standard notification procedure followed by the City for the various hearings concerning the requested rezoning (Environmental Review Board/Planning Commission/City Council) was set forth by Principal Planner Gibson in response to Councilwoman Hardison's request. The School District's public meeting regarding their intention to declare the property surplus was also noted by Mrs. Hardison, who deduced that public opinions now being expressed would more appropriately have been directed to those earlier forums.

The incongruity of the proposal that the site be developed residential (which would then be adjacent to the existing commercial uses on Hawthorne Boulevard) was expressed by Councilman Walker.

Following further Council comments on hearing procedures and developmental considerations, audience input continued as follows.

*

City Council
November 17, 1987

Dr. Eng Ha, 4111 Michelle Drive, advised that most of the residents present were not notified of the potential sale of the school property. A very limited number of these residents were notified of the subject proposal, that notice first having been received only approximately six weeks ago, per Dr. Ha.

This speaker then enumerated the following desires of the area residents --

- That there be an independent zoning study;
- That the subject Conditional Use Permit appeal be upheld; and
- That Council action be delayed.

Dr. Ha maintained that the subject request is in violation of the Torrance Municipal Code Section 95.1.2, in that the proposed use is not consistent with the City's General Plan; it will be detrimental to public health and property; it is not compatible with surrounding uses; and it will produce an unusual volume of traffic.

It was the determination of City Attorney Remelmeyer that the City is not in violation of the Code -- those decisions are within the reasonable determination of the Council. Approval of the CUP, per Mr. Remelmeyer, is impliedly conditioned on the General Plan Amendment and Zone Change being granted.

*

Dr. John Lai, 4118 Michelle Drive, questioned the Council's rationale regarding mixed-use zoning, and related problems resulting from the Spencer Business Center (a nearby development of Mr. Fechner's) which adjoins his rear yard. Dr. Lai advised that sunlight to his back yard is blocked some six months of the year and he urged that an appropriate study be undertaken in order that this situation not be repeated in the subject project. This speaker pointed out that the slide presented earlier by the architect for this project is misleading in that it does not depict the substantial drop in elevation to the residential property.

* * *

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

* * *

City Council
November 17, 1987

The hour being 8:42 p.m., Mayor Geissert called a brief recess. The Council returned at 9:08 p.m., to continue consideration of Agenda Item 15a.

* * *

Council discussion ensued.

Councilman Walker noted his opinion that consideration of residential development on the subject site would be out of the question, and factors of concern to the neighbors can be controlled by modifications to the plan submitted.

Mr. Walker proposed that Building "C" be lowered (as proposed by developer); that there be heavy landscaping along the westerly property line with trees and maximum landscaping in the parking area between the residences and Building "E"; that trash containers be relocated; and that the rotation of Building "E" be considered.

Councilman Wirth acknowledged the Council's understanding of the frustrations felt by the residential neighborhood concerning development of the subject property, but deemed this the best use for the property.

Concerns regarding the addition of two feet to the westerly wall height, (Condition #25) because of the significant grade differential between the properties, were expressed by Councilman Nakano. This Councilman also suggested that Building "E" be rotated so the loading door faces away from residences.

Problems observed by Councilwoman Hardison included: location of trash containers and loading docks next to residential; and the need for facts regarding light/shadow impacts as related to building height and orientation; etc. The need for further input in this regard was voiced by Mrs. Hardison.

The following was then offered.

MOTION: Councilwoman Hardison moved to hold Agenda Item 15a for a period of 45 days (to January 5, 1988, a 5:30 p.m. meeting with the matter to be heard after 7:00 p.m.), thus giving staff an opportunity to return with information on light/shadow impacts and allowing the developer to meet with neighbors in an effort to demonstrate compatibility between these two uses.

The motion was seconded by Mayor Geissert.

City Council
November 17, 1987

Discussion continued.

The demonstrated compatibility of residential uses and industrial parks in other areas of the City, as well as the cooperation of the proponent in lowering the height of Building "C" and agreeing to dense landscaping next to the residential wall were noted by Councilman Applegate. It was his recommendation that two feet be added to the wall for reasons of privacy for the residences.

A SUBSTITUTE MOTION was then offered by Councilman Applegate to deny the appeal and grant the project on Agenda Item 15a, with the following modifications:

1. Lower the height of the westerly portion of Building "C" to approximately 18' as offered by the proponent.
2. Upgrade the landscaping to the satisfaction of Planning staff with plantings of a mature nature that would quickly provide aesthetically pleasing screening for the adjacent neighbors.
3. Location of the trash enclosures be to the satisfaction of the Planning Department, with the possibility of the use of plastic rather than metal lids.

Mr. Applegate further suggested that two additional feet be added to the westerly wall (to 8 feet in height), and that Building "E" be rotated so that the truck doors do not face in a westerly direction.

The above substitute motion was seconded by Councilman Walker.

Speaking to the main motion, Mayor Geissert deemed the ML Zone to be the most likely use between an intensive commercial and residential zone because of the limitation of the uses allowed within that zone. Residential use on the subject site would not be favored by the Mayor because of the severe problems which would exist for the future residents of those homes (backing up to an automobile agency and to Hawthorne Boulevard).

Although the Mayor agreed with the proposed zoning, it was her opinion that more information is needed on the orientation of the buildings, setbacks, possibility of shifting the

City Council
November 17, 1987

density of the project easterly -- thus her support of the 45-day continuance to allow for more interfacing between the neighborhood and developer.

The proponent indicated a desire to address the Council at this time, whereupon Councilman Wirth MOVED to reopen the hearing. His motion, seconded by Councilman Mock, carried unanimously by roll call vote.

Mr. Fechner reiterated setback and building height details and, in response to a question by Councilman Mock, noted that the reorientation of Building "E" would place office windows on the residential side. It was Mr. Fechner's opinion that the placement of Building "E" as planned would pose no hardship for the neighborhood (noise, appearance, etc.); however, should the Council so desire, they will reorient that building. A 45-day continuance is, in Mr. Fechner's opinion, unnecessary.

The hearing was again closed upon a motion by Councilman Walker; seconded by Councilman Wirth; and carried by unanimous roll call vote.

Councilman Nakano indicated his desire to review modified plans prior to approval, thus he will not support the substitute motion.

The above SUBSTITUTE MOTION carried by way of the following roll call vote.

AYES: COUNCILMEMBERS: Applegate, Mock,
Walker and Wirth.

NOES: COUNCILMEMBERS: Hardison, Nakano and
Mayor Geissert.

For the record, Mayor Geissert stated that she has no objections to the Zone Change or General Plan Amendment -- she felt some of the neighborhood concerns could have been addressed during the 45 day delay.

Councilwoman Hardison agreed with the Mayor's comments, noting her opinion that there should have been further efforts to satisfy the neighborhood's concerns.

At the request of Mayor Geissert, City Clerk Wilson assigned number and read title to --

City Council
November 17, 1987

ORDINANCE NO. 3212

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 3828 DEL AMO BOULEVARD AND 3915 SPENCER STREET FROM PU (PUBLIC USE) TO ML (M1-PP) (LIMITED MANUFACTURING WITH A LIGHT MANUFACTURING PRECISE PLAN OVERLAY) ZC 87-5: KARL FECHNER ENTERPRISES, INC.

MOTION: Councilman Nakano moved to approve Ordinance No. 3212 at its first reading. His motion was seconded by Councilman Walker, and roll call vote proved unanimously favorable.

RESOLUTION NO. 87-264

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT TO ALLOW THE CONSTRUCTION OF A LIGHT INDUSTRIAL BUSINESS PARK AND MINI-STORAGE FACILITY AT THE GRACE WRIGHT SCHOOL SITE AT 3828 DEL AMO BOULEVARD AND 3915 SPENCER STREET CUP 87-37: KARL FECHNER ENTERPRISES, INC.

MOTION: Councilman Nakano moved to adopt Resolution No. 87-264, as amended. His motion, seconded by Councilman Walker, carried as is indicated below.

AYES: COUNCILMEMBERS: Applegate, Mock, Nakano, Walker and Wirth.

NOES: COUNCILMEMBERS: Hardison and Mayor Geissert.

City Council
November 17, 1987

RESOLUTION NO. 87-265

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 74-194, TO REVISE THE DESIGNATION OF THE PROPERTY LOCATED AT 3828 DEL AMO BOULEVARD AND 3915 SPENCER STREET FROM PUBLIC/QUASI-PUBLIC/OPEN SPACE TO LIGHT INDUSTRIAL GPA 87-9: KARL FECHNER ENTERPRISES, INC.

MOTION: Councilman Nakano moved to adopt Resolution No. 87-265. This motion, seconded by Councilman Walker, was un-animously approved by roll call vote.

Councilman Wirth requested that staff provide a memorandum to Councilmembers advising them of the status of on-going studies in the entire Victor Precinct relative to traffic.

- 17. ADMINISTRATIVE MATTERS:
- 17a. See Page 10.
- 17b. See Page 10.
- 17c. See Page 11.
- 17d. BARTLETT SENIOR CITIZENS CENTER:

RESOLUTION NO. 87-266

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING ADOPTION OF A CONTRACT WITH R. E. FIEGE CO. FOR \$1,080,000.00 FOR CONSTRUCTION OF BARTLETT SENIOR CITIZENS CENTER

MOTION: Councilman Nakano moved to adopt Resolution No. 87-266. His motion, seconded by Councilman Walker, was un-animously approved by roll call vote.

In response to concerns voiced by Councilman Applegate relative to solicitation of funds by South Bay Senior Services, Mr. Ursel Nolte, 5209 Paseo de Pablo, clarified the approach being taken by that entity.

City Council
November 17, 1987

Mayor Geissert requested that staff provide the Council with an informational memorandum, regarding guidelines which might possibly be developed in the future.

17e. FIRST QUARTER BUDGET REVIEW:

RECOMMENDATION:

The Finance and Governmental Operations Committee of the City Council recommends the following:

- The City Council accept the staff report on the First Quarter Budget Review for Fiscal Year 1987-88;
- The amount of \$654,000 be appropriated from the Parks and Recreation Facilities Fund for the final installment on the purchase of the Greenwood School site.

MOTION: Councilman Nakano moved to concur with the above stated recommendation on Agenda Item 17e. His motion was seconded by Councilman Applegate, and roll call vote was unanimously favorable.

17f. VINE STREET ACCESS/SCROC PARKING LOT:

RECOMMENDATION:

It is recommended by the three administrators (City Manager, Superintendent of SCROC and Superintendent of TUSD) that Vine Street be closed at the SCROC entrance by means of a rolling gate (to be paid for by the City); that the gate be closed to traffic except for home football games and special Torrance Unified School District events; and that the situation be periodically reviewed so as to evaluate the effect on the adjacent residential community.

City Manager Jackson provided clarification and expansion of written staff material on this agenda item, noting that the actual closure is to be deferred until the Farmers' Market is relocated. Mr. Jackson also advised that the possibility of a left-turn signal installation at the north entryway to SCROC will be investigated.

City Council
November 17, 1987

City Attorney Remelmeyer requested that the record reflect that this is NOT a street closure -- Vine Street ends at the boundary of the School District, and this agenda item calls for action to restrict access by the School District and SCROC to Vine Street, per Mr. Remelmeyer.

With the aid of transparencies, City Engineer Burt described the various optional designs offered for consideration. It was recommended by Councilman Applegate that a "solid" type fence be considered in order to preclude debris from blowing through into the residential neighborhood. A meeting with neighborhood representatives with regard to the gate design was recommended by Mayor Geissert.

Audience comments were then invited.

Representing residents of the Vine Street area were: Mr. Charles Nuechterlein, 2258 Santa Fe Avenue, and Mr. Larry Murakami, 2305 Sepulveda Way. The serious on-going problems experienced by the residents and their efforts over the years to have the situation rectified were set forth by these speakers -- a solid rolling gate was requested as an interim approach, the ultimate aim of the neighborhood being the construction of a solid block wall. A sense of urgency in handling this problem was imparted by Messrs. Nuechterlein and Murakami.

The District's basic proposal that the gate be opened for normal football games and graduation exercises, as well as for two or three other special events that would involve safety or the need for emergency vehicular access (approximately nine or ten total occasions per year) was noted by Dr. Edward Richardson, 3042 Lazy Meadow Lane, Superintendent of Schools. Dr. Richardson agreed, in response to a question from the Mayor, to quantify the exact events for which the gate will be opened, setting up a specific procedure therefor.

Dr. Elizabeth Nash, 2300 Crenshaw Boulevard, Superintendent of SCROC, expressed her hope that the problem will be solved with construction of the gate as proposed.

Mayor Geissert requested that the agreement to be developed between the parties involved be returned to the City Council for approval. Further, the Mayor requested that the neighborhood be so notified.

Next to speak from the audience was Mr. Tony Jolsen, 2325 Santa Fe, who requested parking prohibition in their area during school events, noting the need of the neighborhood for

City Council
November 17, 1987

protection against vandalism, etc. during that time. It was recommended by City Manager Jackson that the neighborhood discuss the matter with the Director of Transportation in order to pursue the appropriate course of action.

Police Department participation and coordination in the staff/neighborhood meeting to review the design of the gate was requested by the Mayor.

Mr. and Mrs. Ted Haley, 2720 Vine Street, addressed the efforts of the neighborhood in attempting to deal with the continuing and persistent problem of traffic entering their area from the adjoining school property. These individuals stressed the need for a solid wall, (per the City's previous commitment) with the proposed gate being a temporary measure only.

Representing the Torrance High School Parent/Teacher/-Student Association was Ms. Sue Herbers, 2264 West 230th Street. Ms. Herbers favored the rolling gate concept with no pedestrian access, and deemed a block wall to be a safety consideration because of the resultant limited access to the stadium.

Mr. Nuechterlein returned to emphatically stress their desire that the rolling gate proposed be opened only for the Torrance High School home football games and graduation exercises, and for emergencies that may occur in the course of the year.

Concurring with the need to strictly limit and control the opening of the gate, Councilman Wirth offered the following.

MOTION: Councilman Wirth moved to concur with staff's recommendation for the rolling gate, and that a meeting involving interested parties be scheduled to ensure an optimum design, with periodic review of the situation to evaluate the effect on the adjacent residential community.

The motion was seconded by Councilman Mock.

A lengthy Council/Staff discussion ensued. The severity of the problem in the neighborhood was acknowledged and the varied complexities and legal questions involved in continued attempts to work out a solution were noted. The progression of events and uncovering of pertinent information, (as outlined in staff's written material) which precluded the City's earlier installation of a block wall were pointed out.

City Council
November 17, 1987

During the above discussion, it was noted by Councilman Wirth that the intent of his motion is to require that permanent closure be pursued if problems in the residential neighborhood continue after installation of the gate.

Acknowledging the intensity of the problems endured by the neighborhood including daily activity, as well as football games and special events, Councilman Applegate stated his feeling that, given a choice, he would opt for the peace and tranquillity of the residents as opposed to the parking convenience of football game attendees.

A SUBSTITUTE MOTION was offered by Councilman Applegate that a block wall be installed at the Vine Street access to the school at this time. His motion was seconded by Councilman Walker.

During the continuing discussion, the urgent need to provide protection for the neighborhood; the need for (and problems surrounding) parking restrictions when the gates are open; and problems involving fire hydrant placement were acknowledged. City Attorney Remelmeyer noted his opinion that consent of the School District will likely be required for erection of a block wall because of legalities surrounding access.

The intent of the Council was noted that the situation be closely monitored and that if the problem continues the matter should be returned for further action.

At this time, Councilman Wirth AMENDED HIS MAIN MOTION to direct that the matter be returned to the Council for review in one year's time (at the end of the football season). Mr. Wirth further clarified that the intent of his motion is to require that the specific events wherein the gate is to be open are to be defined and to be very limited in nature, with this information to be returned to Council as soon as possible.

Mr. Haley returned to stress the need for a solid gate -- criteria governing the design of the gate will be considered during the meeting with residents, per City Manager Jackson.

Counconcerns were voiced by Councilwoman Hardison that a solid wall would not completely solve the problem in the residential area inasmuch as there is another point of access to the tract.

City Council
November 17, 1987

The SUBSTITUTE MOTION FAILED TO CARRY as indicated below.

AYES: COUNCILMEMBERS: Applegate and Walker.

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

The MAIN MOTION as amended, carried by unanimous roll call vote.

It was the request of Mayor Geissert that demolition of Building #4 at Wilson Park be expedited in preparation for relocation of the Farmers' Market, which is a critical to implementation of the above action.

The Mayor then recapped the action just taken by the Council and assured concerned members of the audience that in the event the gate does not prove effective, the Council "will take the next step."

17g. EXECUTIVE SESSION:

See Page 28.

20. CONSENT CALENDAR:

20a. AWARD OF CONTRACT: To Provide Twenty-Four (24) Hour
Guard Service at the City Services Facility.
Ref: Bid B87-64
Anticipated Expenditure: \$58,604.40.

RECOMMENDATION:

The Purchasing Division recommends that your Honorable Body authorize the Award of Contract to the low responsible bidder, Burns International Security Services, Inc. of Torrance, California in the amount of \$58,604.40 (includes "Burns 100" Program) with the option to renew the contract at an increase of 3.5% the second year and 5% the third year.

City Council
November 17, 1987

- 20b. CITY COUNCIL AWARD OF CONTRACT: For the sole source purchase of one (1) new Life Pak 5 defibrillator/ECG Monitor equipment unit.
Expenditure: \$9585.00 including tax.

RECOMMENDATION:

The Purchasing Division recommends that your Honorable Body authorize a contract award for the purchase of the Life Pak 5 defibrillator/ECG Monitor equipment unit to Physio Control Corporation of Laguna Hills, California in the total amount of \$9,585.00 including tax.

- 20c. AWARD OF CONTRACT: Parking Lot Driveway Construction at Maple Avenue and Maricopa Street Intersection (County Courthouse) (B87-61) AND APPROPRIATION OF GAS TAX FUNDS.

RECOMMENDATION:

The Engineering Department recommends:

1. That the contract be awarded to Excel Paving Co. for the parking lot driveway construction at Maple Avenue and Maricopa Street intersection (B87-61) and that all other bids be rejected; and
2. That \$73,700 be appropriated from the 1987-1988 Miscellaneous Quick Response Gas Tax Funds to cover the project cost.

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

* * *

At 11:16 p.m., the City Council recessed and reconvened as the Redevelopment Agency of the City of Torrance, adjourning as Redevelopment Agency at 11:17 p.m.

* * *

City Council
November 17, 1987

22. ORAL COMMUNICATIONS:

22a. Councilman Applegate requested appropriate Council recognition of the West Torrance AYSO Boys' Division One team and the All Stars for their recent back-to-back victories in two categories. Staff will follow through.

22b. Councilman Applegate commented on his recent trip to Japan with the Sister City delegation -- a most memorable event.

22c. Councilwoman Hardison expressed appreciation to the Department of Transportation, and particularly to Transportation Supervisor Ray Schmidt, for information provided in response to her request regarding Saturday Dial-A-Lift services.

22d. Councilman Nakano requested information regarding the status of the recycling site ordinance. City Attorney Remelmeyer advised that this matter is scheduled for next week's Council agenda.

22e. Councilman Nakano extended best wishes for a speedy recovery to Parks and Recreation Director Gene Barnett.

22f. Councilman Nakano expressed appreciation to all involved in making the recent trip to Kashiwa a resounding success.

22g. Councilman Wirth announced the annual John F. Kennedy Memorial Services to be held at Kennedy Square in Downtown Torrance, ;on Sunday, November 22nd.

22h. Mr. Larry Gitschier, 1303 Acacia Avenue, expressed appreciation for the recently remodeled Greenwood School site kitchen, and requested transportation assistance for seniors from Bartlett Center to Greenwood. This matter is presently under staff investigation, per Recreation Supervisor Lael Walz.

22i. Mr. Larry Gitschier announced that he has just completed 26 years of service as a City Commissioner -- a commendable record!

City Council
November 17, 1987

The Council now returned to --

17g. EXECUTIVE SESSION:

Mayor Geissert read the following statement into the record.

The City Council will now recess to closed session to confer with the City Manager regarding salaries, salary schedules and compensation for certain represented employee groups. Authority for holding an executive session for this purpose is contained in the provisions of Government Code Section 54957.6 (a).

The Council will also receive advice from the City Attorney regarding potential litigation arising from the architectural contracts with H. Wendell Mounce. Authority for holding an executive session for this purpose is contained in Government Code Section 54956.9 (b).

The City Council will give instruction to the City Manager concerning the sale of City-owned property at the corner of 237th Street and Cabrillo Avenue. Authority for holding an executive session for this purpose is contained in Government Code Section 54956.8.

At 11:30 p.m., the City Council recessed to executive session, returning at 12:04 a.m., (November 18, 1987) for formal adjournment -- AND TO WISH COUNCILMAN WALKER A "HAPPY BIRTHDAY". No action was required as a result of the executive session and adjournment was to Tuesday, November 24, 1987, 7:00 p.m.

#


Mayor of the City of Torrance


Clerk of the City of Torrance

Peggy Laverty
Minute Secretary

City Council
November 17, 1987