

I N D E X

Torrance City Council - April 4, 1989

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#

Peggy Laverty
Minute Secretary

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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, April 4, 1989, at 5:36 p.m., in the Council Chambers at Torrance City Hall.

2. ROLL CALL:

Present: Councilmembers Applegate, Hardison, Mock, Nakano, Wirth and Mayor Geissert. Councilman Walker arrived at 5:41 p.m.

Absent: None.

Also present: City Manager Jackson, City Attorney Nelson, City Clerk Bramhall, and Staff representatives.

3. FLAG SALUTE/INVOCATION:

Police Captain Larry Robinson led in the salute to the flag.

The invocation for the meeting was provided by Dr. Dennis E. McFadden, First Baptist Church.

4. APPROVAL OF MINUTES/MOTION RE FURTHER READING:

MOTION: Councilman Applegate moved to approve the minutes of the City Council meeting of February 28, 1989, as recorded. His motion was seconded by Councilman Mock and roll call vote was unanimously favorable [Councilman Walker not as yet arrived].

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MOTION: Councilman Applegate moved that after the City Clerk has assigned a number and read title to any resolution or ordinance on the agenda for this meeting, 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 Councilman Mock and roll call vote was unanimously favorable [Councilman Walker not as yet arrived].

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, seconded by Councilman Mock, carried unanimously by roll call vote [Councilman Walker not as yet arrived].

6. WITHDRAWN OR DEFERRED ITEMS:

City Manager Jackson announced that Item 17b, Possible Loss of San Pedro Communications Facility has been withdrawn, as it has been determined that this does not relate to the City of Torrance - see Page 12.

7. COUNCIL COMMITTEE MEETINGS:

Ad Hoc Legislative Committee
Met April 3, 1989, 5:00 p.m.
Subject: Legislative Advocate for
Washington, D.C.

Finance and Governmental Operations Committee
April 25, 1989, 6:00 p.m.
Subject: Capital Budget.

8. COMMUNITY MATTERS:

8a. PRESENTATION BY MAYOR OF LAWNSDALE:

Mayor of the City of Lawndale, Ms. Sarann Kruse, presented certificates of appreciation to Mayor Geissert for her participation and support in a fund raising event for the Leukemia Society of America, Los Angeles Division.

This recognition was accepted with appreciation by Mayor Geissert.

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8b. TWENTY-FIVE YEAR SERVICE AWARD:

Mayor Geissert presented a watch in recognition of twenty-five years of service to the City to Fire Captain Ronald Mazzaro.

There was grateful acceptance by Captain Mazzaro.

8c. PROCLAMATION proclaiming the week of April 9 through 15, 1989, as "Building and Safety Week."

SO PROCLAIMED by Mayor Geissert, and accepted by Building and Safety Director, Ralph Grippo.

8d. PROCLAMATION proclaiming April, 1989, as "California Earthquake Preparedness Month."

SO PROCLAIMED by Mayor Geissert with acceptance by Captain Robinson and Terese Condon of the Torrance Police Department.

8e. PROCLAMATION proclaiming April, 1989, as "Red Cross Month" in the City of Torrance.

SO PROCLAIMED by Mayor Geissert. This proclamation was accepted by Mr. Paul Meyers, Red Cross District Manager and member of the Torrance Disaster Council as well as by Fire Chief Scott Adams and City Clerk John Bramhall.

8f. PROCLAMATION proclaiming April, 1989, as "Occupational Therapy Month" in the City of Torrance.

SO PROCLAIMED by Mayor Geissert and accepted by Mr. Paul Zulak, Occupational Therapy Director at Little Company of Mary Pavilion.

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10. TRANSPORTATION/PUBLIC WORKS MATTERS:

10a. NOTICE OF COMPLETION - Construction of Street Improvements at the Greenwood School Site (B88-58).

RESOLUTION NO. 89-58

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, ACCEPTING THE WORK FOR CONSTRUCTION OF STREET IMPROVEMENTS AT THE GREENWOOD SCHOOL SITE, BOUNDED BY GREENWOOD AVE., FERN AVE., SONOMA ST. AND EL DORADO ST. (C-3017)

MOTION: Councilman Nakano moved to adopt Resolution No. 89-58. His motion was seconded by Councilwoman Hardison and roll call vote was unanimously favorable.

10b. APPROPRIATION OF GAS TAX FUNDS - WHEELCHAIR RAMPS AND STREET RECONSTRUCTION:

RECOMMENDATION:

The Engineering Department recommends that Your Honorable Body appropriate a total of \$65,000 in Gas Tax Funds to finance the design and construction of:

1. Wheelchair ramps at various locations (\$25,000); and
2. Crenshaw Boulevard reconstruction (east side) from 230th Place to 231st Street (\$40,000).

MOTION: Councilman Wirth moved to concur with the above stated recommendation, including the appropriation. His motion was seconded by Councilman Mock and roll call vote was unanimously favorable.

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12. PLANNING AND ZONING MATTERS:

12a. HEIGHT LIMIT REVISIONS A-1 AND R-R-3 ZONES AND DELETION OF A REAR YARD SETBACK REFERENCE IN THE R-3 ZONE:

ORDINANCE A

ORDINANCE NO. 3263

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING SECTION 91.15.2 OF THE TORRANCE MUNICIPAL CODE RELATING TO THE HEIGHT OF BUILDINGS IN THE A-1 ZONE

MOTION: Councilman Nakano moved to approve Ordinance No. 3263 at its first reading. His motion was seconded by Councilwoman Hardison and roll call vote was unanimously favorable.

ORDINANCE B

ORDINANCE NO. 3264

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING SECTION 91.8.3 OF THE TORRANCE MUNICIPAL CODE RELATED TO BUILDING HEIGHT IN THE R-R-3 ZONE

MOTION: Councilman Nakano moved to approve Ordinance No. 3264 at its first reading. This motion was seconded by Councilwoman Hardison and carried unanimously by roll call vote.

ORDINANCE C

ORDINANCE NO. 3265

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING SECTION 91.7.5 OF THE TORRANCE MUNICIPAL CODE, TO DELETE A REFERENCE TO A 5 FOOT REAR YARD SETBACK

MOTION: Councilman Nakano moved to approve Ordinance No. 3265 at its first reading. His motion, seconded by Councilman Mock, carried unanimously by roll call vote.

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12b. DENIAL OF HOME CLUB APPLICATION:

RESOLUTION NO. 89-59

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE GRANTING THE APPEAL OF PLANNING COMMISSION APPROVAL OF CUP 88-53, PF 88-30, D 88-27, AND DENYING A REQUEST FOR VARIANCE V 89-1, FOR A COMMERCIAL BUILDING AND NURSERY LOCATED IN THE C-3, AND C3-PP ZONE AT THE NORTHEAST CORNER OF 190TH STREET AND HAWTHORNE BLVD AT 4343 WEST 190TH STREET GORDON F. SADKIN/HOME CLUB, INC.

MOTION: Councilman Nakano moved to adopt Resolution No. 89-59. His motion was seconded by Councilwoman Hardison.

Prior to roll call vote on the motion, City Attorney Nelson acknowledged that the above action memorializes, by way of resolution, action taken by the City Council at its March 28 meeting.

The motion for adoption of the above resolution carried by way of the following roll call vote.

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

NOES: Councilman Walker.

12c. COMPARABLE LOT SIZE CONSIDERATION:

Staff presentation on this agenda item was provided by Planning Associate Pryor, who set forth the following recommendations [per agenda material on this item].

PLANNING COMMISSION RECOMMENDATION:

In order to respond to the number of subdivisions being experienced city-wide, and believing that the matter deserves some urgency, the Planning Commission set the matter of the Seaside Rancho's unique large lot problems aside for separate study. They moved to forward the comparable lot size concept to the City Council with recommendations for adoption of Ordinance B, and a 120-day lot-split moratorium within Seaside Ranchos to allow completion of such a study.

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PLANNING DEPARTMENT RECOMMENDATION:

The Planning Department concurs with the Planning Commission recommendation for adoption of Ordinance "B". However, the intent of the moratorium, as recommended by the Planning Commission, may raise expectations that limited General Plan & Research Division staffing would find extremely difficult to fulfill. A study to create a special zone to solve problems that might involve three or four possible lot combinations within one particular city neighborhood, would have to be considered a very low staff priority at this time.

Clarification and expansion as desired by Councilmembers were then provided by Planning Associate Pryor and by Assistant City Attorney Quale. During this lengthy review of criteria and parameters governing lot split activity, Councilman Applegate suggested the possibility of establishing minimum lot frontage standards.

Audience comments were invited by the Mayor and those who came forward to address the Council are listed below.

- Mr. Ed Liebersbach, 2330 230th Place, representing the Southeast Torrance Homeowners Association;
- Ms. Jackie Decker, 4824 Reese Road, president of Seaside Homeowners Association;
- Ms. Martha McAvoy, 5334 Linda Drive;
- Ms. Ann Adam, 5359 Bindewald Road;
- Mr. Les Congelliere, 4825 Sharynne Lane;
- Mr. Ken Hix, 4919 Reese Road;
- Mr. Papavasilio, 5405 Linda Drive; and
- Ms. Barbara Huey, 5419 Reese Road.

These speakers generally expressed concerns regarding future lot splits and acknowledged their desire to exercise a greater control over lot splits and maintain the integrity of the neighborhood [no lot splits in Tract I was requested, and an ef-

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fort to guard against the possibility of three lots becoming four, four becoming six, etc. was urged]. Concurrence with Ordinance "B" was primarily indicated and the possibility of a "special" zone [R-13, R-15, or R-E (Residential Estate Zoning)] was suggested.

An extensive Council discussion ensued during which time Councilwoman Hardison requested and received information from Assistant City Attorney Quale relative to unique characteristics of a vesting tentative map and its impact on the intent of a moratorium.

Councilmen Applegate and Walker voiced their personal desire to have further staff investigation and analysis prior to Council action. The following motion was offered, but later WITHDRAWN.

MOTION: Councilman Walker moved to hold this item for three weeks to the Council meeting of April 25, 1989, 7:00 p.m. His motion was seconded by Councilman Applegate.

Continuing discussion revealed a consensus favoring the adoption of Ordinance "B" at this time, thus providing protection to the neighborhood during staff's analysis and return with a report relative to further "tightening" of the regulations. A comparable frontage ordinance was once again introduced by Councilman Applegate and, along with the question of vesting, was generally acknowledged as information desired by the Council.

Upon Mayor Geissert's suggestion that the Council might proceed with the first reading of Ordinance "B" with the desired information to be provided prior to the second reading, Councilman Walker withdrew his motion; Councilman Applegate, his second.

Audience comments resumed.

Ms. Jane Walker, 4907 Reese Road, requested and received information regarding the moratorium in her area.

Mr. Ruben Ordaz, 2231 Del Amo Boulevard, related unfortunate circumstances involving a lot split in his area.

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MOTION: Councilman Applegate moved to institute Ordinance "B" for its first reading with additional information to come back from staff prior to its second reading. The motion was seconded by Councilman Walker, and roll call vote was unanimously favorable.

ORDINANCE "B"

ORDINANCE NO. 3266

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF TORRANCE ADDING SECTION 92.29.31
TO THE TORRANCE MUNICIPAL CODE AND AMENDING
SECTION 91.4.3 PERTAINING TO THE CALCULATION
OF PARCEL OR LOT SIZES FOR PARCEL OR TRACT
MAPS

MOTION: Councilman Nakano moved to approve Ordinance No. 3266 at its first reading. His motion was seconded by Councilman Walker and roll call vote was unanimously favorable.

Councilman Applegate confirmed that his motion includes asking for information about comparable frontages.

Mayor Geissert advised those present in the audience that adoption of Ordinance "B" provides a good level of protection from indiscriminate lot splits in the area. Prior to the second reading of the ordinance, the Mayor explained that information relative to vested rights on lot splits; comparable frontage; estate zoning designation; etc. will be returned to Council and that information will be made available to interested parties in advance of the meeting if requested.

Councilman Applegate requested that boundaries of the Hillside Overlay District be designated on maps presented when this matter is returned.

* * *

At 7:45 p.m., Mayor Geissert called a recess. The Council returned at 8:17 p.m.

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15. HEARINGS:

15a. W 88-30: BENTON CONSTRUCTION:

Mayor Geissert announced that this was the time and place for City Council consideration of an applicant appeal of a Planning Commission approval of a waiver to allow an 8-foot high fence along the side property line within the front 40 feet of the lot, including the entire length of the fence, on property at 601 Paseo de la Playa, in the Hillside Overlay District.
W 88-30: BENTON CONSTRUCTION.

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

Staff presentation was provided by Principal Planner Gibson, who detailed the chronology of events in this case. Mr. Gibson advised that the applicant, Mr. Eadie, has [by way of correspondence] now agreed to eliminate the four-foot section of fence, the condition for which was the basis of his above appeal.

As a point of further information, Mr. Gibson advised Council that Mr. Eadie's neighbor to the south [Mr. Rusher] has indicated that he just became aware, this date, of Mr. Eadie's intent to add solid backing to the latticework on top of the existing eight-foot fence between the properties, to which Mr. Rusher is now objecting strenuously.

The proponent, Mr. Tom Eadie, 601 Paseo de la Playa, presented his case urging approval of his request for the eight-foot solid fence and confirming his willingness to remove the four-foot segment. This speaker specified privacy and security as his reasons for desiring an eight-foot solid fence, and stated his belief that plans for same had been approved by the Building and Planning Departments of the City. He strongly urged that he be permitted to add the solid backing to the existing latticework on that fence.

Responding to Council questions, Principal Planner Gibson acknowledged that a certain amount of confusion surrounded the original drawings, it being Mr. Eadie's contention that those drawings indicated a solid fence, while staff's interpretation of those drawings was that the latticework would remain open [the solid backing not being clearly delineated on the plans].

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Mr. George Rusher, 605 Paseo de la Playa, neighbor adjacent to the subject site, detailed his loss of view from Mr. Eadie's fence construction; however, he noted his willingness to accept the eight-foot fence as it presently exists [latticework on top]. This speaker strongly objected to the addition of solid backing to that latticework, however.

Mr. Dave Rusher, 1512 The Strand, Manhattan Beach, confirmed his father's statements regarding view impairment, and maintained that Mr. Eadie's claims of the need for security are not viable because of the absence of security in other areas of the Eadie property. Removal of the four-foot fence [agreed to by Mr. Eadie] and retention of open latticework on top of the eight-foot fence were requested by this speaker.

Mr. Eadie and Mr. Rusher approached the podium individually at various times during this hearing to reinforce their stands and refute each other's claims.

As the hearing progressed, Principal Planner Gibson related, step-by-step, the unfolding of the case including the understanding along the way of staff, Commission, applicant and opponent.

Councilman Applegate moved to close the hearing. His motion was seconded by Councilman Walker, and roll call vote was unanimously favorable.

MOTION: Councilman Walker moved to approve the latticework on top of the fence and removal of the four-foot extension [NO BACKING on latticework]. This motion, seconded by Councilman Mock, carried unanimously by roll call vote.

17. ADMINISTRATIVE MATTERS:

17a. OUTSIDE ATTORNEY'S CONTRACT:

RESOLUTION NO. 89-60

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF TORRANCE APPROVING AN INCREASE
IN FUNDING FOR A CONTRACT WITH THE LAW
FIRM OF COX, CASTLE & NICHOLSON

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MOTION: Councilman Nakano moved to adopt Resolution No. 89-60. His motion, seconded by Councilwoman Hardison, carried unanimously by roll call vote.

17b. POSSIBLE LOSS OF SAN PEDRO COMMUNICATIONS FACILITY:

WITHDRAWN [see Page 2].

17c. ESTABLISHMENT OF FEES:

Mayor Geissert announced that this agenda item contains a recommendation of the City Manager and Director of Finance for the adoption of an ordinance setting a residential development tax, adoption of an ordinance repealing several fees from the Torrance Municipal Code, and adopting four resolutions establishing and amending several fees for City services.

Support documentation for this agenda item included the following --

- 1) An ordinance establishing a residential development tax of \$750 per dwelling unit. This tax includes new construction and also enlargement or remodeling if the enlargement increases the dwelling by more than 50%, or if the cost of the remodeling exceeds 50% of the replacement cost of the dwelling before remodeling.
- 2) Resolution "A" setting a park rehabilitation and open space preservation fee in the sum of \$750 on the development of new residential units, or the enlargement or remodeling of residential units. This fee is waiveable in the event the developer pays, instead, the tax described in 1) above.
- 3) Resolution "B" which sets the fees for the various planning and land use permits and entitlements.
- 4) Resolution "C" setting the various fees for Building & Safety, Engineering, Transportation (traffic signal maintenance), utility, and Environmental.
- 5) Resolution "D" which sets fees for Police services at traffic accidents resulting from driving under the influence of alcohol or drugs, or both, with and without paramedic assistance.

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- 6) An ordinance which amends and repeals several sections of the Torrance Municipal Code. These sections all impose or regulate fees which are now placed in the resolutions discussed.

It was noted by City Manager Jackson [per supplementary material on this agenda item] that Resolution "D" has been withdrawn in order that the language may be clarified and will be returned at a later date; Resolution "C" has been modified under subsection b) as follows --

- b) Special energy inspection fee shall be \$25 or 25% of the building permit fee as stated on Table 3A in Section 81.2.2 of the Torrance City Code.

Assistant City Attorney Quale provided clarification relative to the proposals before the Council, explaining the necessity for a background study in order to justify and allocate the fee represented in Resolution "A". The dual process of establishing a general tax [ordinance (1) above] as well as a developer fee [Resolution "A" (2) above] was also interpreted by City Manager Jackson as a method of achieving as nearly as possible the City Council's intent while awaiting completion of the study required under the fee structure

Councilwoman Hardison referenced her request during an earlier Council meeting that Resolution "B" be clarified regarding parking lot sales. City Manager Jackson suggested modification of that resolution to specify: FOR PROFIT PARKING LOT SALES, as a means of satisfying Ms. Hardison's concerns.

From the audience Ms. Gene Drevno, 5624 Via del Colado, requested clarification regarding certain aspects of the proposal. Mr. Dennis Kikuno, 2340 West 238th Street, also desired further information regarding the fee/tax structure and the ultimate availability of funds in the area of recreation. City Manager Jackson responded to these citizens.

An extensive Council discussion developed.

Supplementary material from the Building and Safety Department setting forth a listing of residential projects currently in Plan Check represented areas of concern to members of the Council, as did the percentage of enlargement represented by a remodel [ordinance (1) and Resolution "A" (2) above].

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Councilman Wirth noted that information received this date regarding Residential Projects Currently in Plan Check [supplementary material of record] has prompted concerns on his part relative to remodels and additions.

There being general agreement that additions by resident home-owners should be encouraged, the Council ultimately acknowledged their desire for a reassessment of the percentage of increase in size which would trigger the fee.

Noting his opinion that the study should precede implementation of the fee, Councilman Applegate offered the following --

MOTION: Councilman Applegate moved to hold this matter until the [fee] study is completed. The motion was seconded by Councilman Walker.

City Manager Jackson then clarified that the study will take from 6-18 months to complete, whereupon . . .

A SUBSTITUTE MOTION was offered by Councilman Wirth to hold this matter for four weeks, with staff to return at that time with more information on percentages and more definitive information on the listed projects [rebuilt vs. additions]. Councilman Mock seconded the substitute motion.

Mayor Geissert directed, as part of this request, that the City Manager provide a suggested procedure for handling the above referenced study.

The substitute motion carried by way of the following roll call vote:

AYES: Councilmembers Hardison, Mock, Nakano, Wirth and Mayor Geissert.

NOES: Councilmen Applegate and Walker.

Responding to concerns voiced by Councilman Applegate, in addressing Resolution "B", City Manager Jackson suggested that the appeal fee to Commissions and to the City Council be excluded from the resolution, to be returned at a later date.

MOTION: Councilman Applegate moved that the Council move forward with all matters with the exception of the appeals. The motion was seconded by Councilman Mock.

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Prior to roll call vote, Councilman Applegate AMENDED his motion to include the intent that the current fee structure is to be retained at the present time and, if cost effective, to request that a new resolution be returned within a short period of time. Mr. Applegate further AMENDED his motion to include the designation of "for profit" relative to parking lot sales. The amendments were accepted by Councilman Mock, and roll call vote proved unanimously favorable.

RESOLUTION "B"

RESOLUTION NO. 89-61

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF TORRANCE ESTABLISHING FEES FOR
LAND USE ENTITLEMENT MATTERS, INCLUDING
APPEALS THEREFROM

MOTION: Councilman Nakano moved to adopt Resolution No. 89-61, as amended. His motion, seconded by Councilman Walker, carried unanimously by roll call vote.

Building and Safety Director Grippo noted the addition to Resolution "C", per supplementary agenda material of record [see Page 13 of these minutes].

RESOLUTION "C"

RESOLUTION NO. 89-62

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF TORRANCE SETTING FEES FOR
ENGINEERING, UTILITY, BUILDING, GRADING
AND ENVIRONMENTAL PERMITS

MOTION; Councilman Nakano moved to adopt Resolution No. 89-62, as amended [per supplementary agenda material]. His motion, seconded by Councilman Mock, carried unanimously by roll call vote.

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EMERGENCY ORDINANCE

ORDINANCE NO. 3267

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING SECTION 43.4.7, 72.2.4, 74.5.7, 74.6.2, 74.6.5, 74.7.1, 81.2.2, 81.2.66, 97.10.5, 97.10.6 AND 99.1.1, AND REPEALING SECTION 97.10.10 AND SECTIONS 99.1.2 THROUGH 99.1.16, ALL DEALING WITH FEES WHICH WILL IN THE FUTURE BE SET BY RESOLUTION OF THE CITY COUNCIL, AND DECLARING THE PRESENCE OF AN EMERGENCY

MOTION: Councilman Nakano moved to adopt Emergency Ordinance No. 3267 at its first and only reading. His motion, seconded by Councilwoman Hardison, was unanimously approved by roll call vote.

Mayor Geissert announced that the matter of recreation fees will be returned to the Council in four weeks; Police and Fire fees, in approximately three weeks. It was the request of Councilwoman Hardison that these items not be heard before 8:15 p.m.

18. SECOND READING ORDINANCES:

18a. ORDINANCE NO. 3261:

ORDINANCE NO. 3261

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, AMENDING DIVISION 9 OF THE TORRANCE MUNICIPAL CODE TO RECLASSIFY CERTAIN PROPERTIES LOCATED SOUTH OF SIERRA STREET TO THE ALLEY NORTH OF TORRANCE BOULEVARD BETWEEN THE ALLEY EAST OF MADRID TO ARLINGTON AVENUE AND OF PROPERTIES FROM THE ALLEY SOUTH OF MARICOPA STREET TO SIERRA STREET BETWEEN COTA AVENUE AND THE ALLEY WEST OF ARLINGTON AVENUE FROM R-3 (LIMITED MULTI-FAMILY RESIDENTIAL) TO R-2 (TWO-FAMILY RESIDENTIAL) AND REPEALING
ORDINANCE 3255
ZC 88-6, (EA 88-33): CITY OF TORRANCE

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MOTION: Councilman Nakano moved to adopt Ordinance No. 3261 at its second and final reading. His motion, seconded by Councilman Mock, was unanimously approved by roll call vote.

18b. ORDINANCE NO. 3262:

ORDINANCE NO. 3262

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF TORRANCE ADDING SECTION 92.22.18
TO THE TORRANCE MUNICIPAL CODE DEALING
WITH NON-CONFORMING USES

MOTION; Councilman Nakano moved to adopt Ordinance No. 3262 at its second and final reading. His motion, seconded by Councilwoman Hardison, carried unanimously by roll call vote.

20. CONSENT CALENDAR:

20a. COUNCIL AWARD OF ANNUAL CONTRACT - To furnish City requirements for sporting goods.
Ref: Bid No. B89-12
Anticipated Expenditure: \$43,873.19 including tax.

RECOMMENDATION:

The Purchasing Division recommends that Your Honorable Body award contracts for the required sporting goods to the following listed companies for each bid item as indicated.

1. Recommend a contract award to be made to W.A. GOODMAN & SONS of Los Angeles, California for Bid Items 6, 10, 14, 18, 23, 24, 52, 53, 66 and 72 for the total amount of \$14,229.49 including tax.
2. Recommend a contract award to be made to Conlin Bros., Inc. of Whittier, California for Bid Items 4, 5, 7, 9, 11, 12, 13, 15, 19, 20, 21, 22, 25, 28, 29, 33, 36, 37, 39, 40, 41, 42, 44, 48, 51, 54, 57, 69, 70, 73 and 74 for the total amount of \$26,672.90 including tax.
3. Recommend a contract award be made to BSN Corporation of Dallas, Texas for Bid Items 1, 2, 3, 8, 26, 27, 43, 45, 46, 47, 49, 55, 58, 59, 60, 61, 62, 63, 64, 65, 68, 71 and 75 for the total amount of \$4,114.44 including tax.

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4. Recommend a contract award be made to Cannon Sports, Inc. of Burbank, California for Bid Items 16, 17, 30, 31, 32, 34, 35, 38, 50, 56 and 67 for the total amount of \$1,780.97 including tax.

FUNDING:

Adequate funds are available through the Parks and Recreation Department's general budget to cover these expenses.

- 20b. COUNCIL AWARD OF ANNUAL CONTRACT - To furnish City's requirements for miscellaneous dry cell batteries.
Ref: Bid No. B89-13
Anticipated Expenditure: \$17,438.52 (including tax).

RECOMMENDATION:

The Purchasing Division is recommending that Your Honorable Body award an ANNUAL CONTRACT FOR VARIOUS DRY CELL BATTERIES, with pricing, terms and conditions based on Bid No. B89-13, to BATTERY SPECIALTIES of Long Beach, CA, in the total amount of \$17,438.52 including tax.

MOTION: Councilwoman Hardison moved to concur with staff recommendations on Agenda Items 20a and 20b. Her motion, seconded by Councilman Wirth, carried unanimously by roll call vote.

* * *

At 9:45 p.m., the City Council recessed and convened as the Redevelopment Agency of the City of Torrance. The meeting of the Redevelopment Agency was adjourned at 9:46 p.m. and the Body reconvened as the Cable Television Public Access Foundation. The Foundation then adjourned and reconvened as the City Council at 9:48 p.m.

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22. ORAL COMMUNICATIONS:

22a. In response to an inquiry by Councilwoman Hardison, Building and Safety Director Grippo advised that no apparent problems have developed as a result of the 27-foot R-1 building height limitation having taken effect April 1.

22b. In response to Councilwoman Hardison's inquiry regarding Airport tie-down fees, Finance Director Giordano advised that a revenue discussion paper will be available for Council in the near future; resolutions on specific tie-down fees will be submitted as an agenda item shortly.

22c. Councilwoman Hardison commented on the matter of full-stop-taxi-back activity at the Airport and expressed her opinion that such action represents a means of circumventing the City's ordinance pertaining to touch-and-go maneuvers. Mrs. Hardison requested information from staff in that regard.

22d. Mayor Geissert announced that the Ad Hoc Committee on Executive Salaries will be comprised of Councilmembers Walker [Chairman], Hardison and Wirth.

22e. Mayor Geissert requested that staff pursue possible interest in a City-wide picnic which would include Commission members. City Manager Jackson indicated that there will be follow through and a report back to the Council.

22f. Mr. Earl Hupp, accompanied by his wife, Donna, 224 - 4th Street, Manhattan Beach, submitted a six-page statement concerning a recent incident involving Police personnel at the Old Towne Mall.

These citizens were apprised by Police Chief Nash of the appropriate manner in which to file a Police personnel complaint. Mayor Geissert declared the matter to be taken under submission.

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23. EXECUTIVE SESSION;

23a. EXECUTIVE SESSION MATTERS:

Mayor Geissert read the following statement into the record.

The City Council will now recess to closed session to confer with the City Manager and/or the City Attorney on the following subjects:

- Salaries, salary schedules and compensation for certain unrepresented employees and represented employee groups as well as certain other personnel matters;
- Current litigation entitled Una Maratta vs. City of Torrance, South Bay Municipal Court Case No. 133049;
- A proposed amendment to the current lease of city-owned property at the airport to the Whittlesey family.

Authority to hold an executive session for these purposes is contained in Government Code Sections 54957 & 54957.6(a); 54956.8; and, 54956.9(a) & 54956.9(b).

The Mayor noted that she had received an expanded agenda for executive session matters which included the following additional subjects:

- Current litigation entitled Gerald R. Fallek vs. City of Torrance, Los Angeles Superior Court Case No. 15979. Authority contained in Government Code Section 54956.9(a).
- Potential litigation between the City and Paragon Cable. Authority contained in Government Code Section 54956.9(b).
- To give instruction to the City Manager as negotiator regarding the possible purchase or lease of the Columbia School site from the Torrance Unified School District. Authority contained in Government Code Section 54956.8.

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- Current litigation entitled Avala Boring, Inc. vs. Artistic Landscape & Engineering, Inc., et al. South Bay Municipal Court Case No. SB 89C01285. Authority contained in Government Code Section 54956.9 (a).

Pursuant to the Brown Act, Mayor Geissert noted that the Council can consider these matters if it is determined that they arose after the posting of the agenda for this meeting. She then requested the City Attorney to clarify how these matters arose after the posting of the agenda.

City Attorney Nelson addressed that question for the four cases noted above as follows:

- The case of Gerald R. Fallek vs. City of Torrance came up because such a short time arose between the arbitrator's decision in the case and the time limit for making a decision as to whether or not the City wants to file for a new trial.
- The matter of Paragon Cable arose and came to the City's attention this weekend with publication of some detailed news items relating to the laws that affect Paragon Cable and their relationship with the Warner-Time merger, which requires discussion with and guidance from the Council.
- In the Ayala Boring case, settlement negotiations came down and were not finalized until yesterday. A decision is required before the end of this week.

City Manager Jackson announced --

- The Columbia School case was a result of a meeting held with school officials on Monday -- an elaboration of discussions with regard to the Whittlesey lease, but also involved certain leasing of property with the School District. The subject came up very late and was not in a timely nature so that it could be included in the agenda.

MOTION: Councilman Applegate declared that the above four matters arose after the posting of the agenda and moved to consider them in Executive Session tonight. His motion was seconded by Councilman Wirth and roll call vote was unanimously favorable.

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At 10:10 p.m., the Council recessed to executive session as announced, returning at 11:50 p.m. to take the following action.

TME0 SUPPLEMENTAL #4

RESOLUTION NO. 89-63

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE SETTING FORTH CERTAIN CHANGES REGARDING HOURS, WAGES, AND WORKING CONDITIONS FOR EMPLOYEES REPRESENTED BY THE TORRANCE MANAGEMENT EMPLOYEES ORGANIZATION (TME0)
RESOLUTION NO. 88-173

MOTION: Councilman Nakano moved to adopt Resolution No. 89-63. His motion, seconded by Councilwoman Hardison, carried unanimously by roll call vote.

ENGINEERS SUPPLEMENTAL #5

RESOLUTION NO. 89-64

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE SETTING FORTH CERTAIN CHANGES REGARDING HOURS, WAGES, AND WORKING CONDITIONS FOR EMPLOYEES REPRESENTED BY THE ENGINEERS
RESOLUTION NO. 88-204

MOTION: Councilman Nakano moved to adopt Resolution No. 89-64. This motion, seconded by Councilman Mock, carried unanimously by roll call vote.

City Attorney Nelson then recommended that the City Council concur in the recommendations of the City Attorney in the following cases:

- Una Maratta vs. City of Torrance, South Bay Municipal Court Case No. 133049.
- Gerald R. Fallek vs. City of Torrance, Los Angeles Superior Court Case No. 15979.

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- Ayala Boring, Inc. vs. Artistic Landscape & Engineering, Inc., et al., South Bay Municipal Court Case No. SB 89C01285.

Councilman Wirth SO MOVED; seconded by Councilman Mock, and unanimously carried by roll call vote.

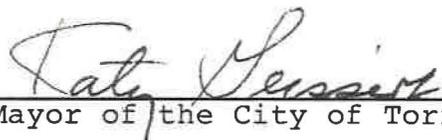
Action relative to the Columbia School site was then taken as shown below.

MOTION: Councilwoman Hardison moved to request that the study information on the Columbia School site be brought forward to the City Council as a regular agenda item. Her motion, seconded by Councilman Applegate, was unanimously approved by roll call vote.

24. ADJOURNMENT:

At 11:55 p.m., this meeting of the City Council was formally adjourned to Tuesday, April 11, 1989, at 5:00 p.m. for a workshop session on the Cultural Arts Center.

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Mayor of the City of Torrance


Clerk of the City of Torrance

Peggy Laverty
Minute Secretary

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