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Torrance City Council - June 20, 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, June 20, 1989, at 5:37 p.m., in the Council Chambers at Torrance City Hall.

2. ROLL CALL:

Present: Councilmembers Hardison, Nakano, Walker, Wirth and Mayor Geissert.
Councilman Applegate arrived at 5:41 p.m; Councilman Mock, at 6:15 p.m.

Absent: None.

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

3. FLAG SALUTE/INVOCATION:

Miss Cheryl Feuerstein led the salute to the flag.

The invocation for the meeting was provided by President Fred Hoopes, Torrance Stake of The Church of Jesus Christ of Latter Day Saints.

* * *

Councilman Applegate arrived [5:41 p.m.]

* * *

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4. APPROVAL OF MINUTES/MOTION RE FURTHER READING:

MOTION: Councilman Applegate moved to approve the minutes of the City Council meeting of May 16, 1989, as recorded. His motion was seconded by Councilwoman Hardison, and roll call vote was unanimously favorable [Councilman Mock not as yet arrived].

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 Councilwoman Hardison and roll call vote was unanimously favorable [Councilman Mock 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 Councilwoman Hardison, carried unanimously by roll call vote [Councilman Mock not as yet arrived].

6. WITHDRAWN OR DEFERRED ITEMS:

None.

7. COUNCIL COMMITTEE MEETINGS:

None.

Considered at this time out of order --

22a. Mayor Geissert announced the July 4th Celebration to be held at Wilson Park.

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Regular agenda order was resumed --

8. COMMUNITY MATTERS:

8a. RESOLUTION HONORING WALTERIA ELEMENTARY SCHOOL:

A resolution honoring Walteria Elementary School for its selection as a California Distinguished School was presented by Mayor Geissert to Ms. Barbara Hester, Principal of Walteria Elementary. There was grateful acceptance by Ms. Hester, who was accompanied to the podium by Ms. Marie Dohner, Walteria PTA President.

[NOTE: This resolution was adopted by Council later in the meeting - see Page 6].

8b. RESOLUTION HONORING ANZA ELEMENTARY SCHOOL:

Mr. Warren Carver, Principal of Anza Elementary School, was present to accept the resolution honoring his school for its selection as a California Distinguished School. Mr. Carver was accompanied to the podium by Ms. Donna Spreitzer, Anza PTA President.

[NOTE: This resolution was adopted by Council later in the meeting - see Page 6].

Considered next out of order --

21a. INTRODUCTION OF VALEDICTORIANS:

Mayor Geissert introduced the following Torrance area High School graduates who have achieved a 4.0 grade point average. Certificates of recognition were presented to each student along with the congratulations and best wishes of the entire Council.

NORTH HIGH SCHOOL

Jong Soo Limb
Shuntaro Shinada
Mary Yogi

[Principal: Margaret Tremayne].

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WEST HIGH SCHOOL

Hubert Chen
Ming Che Chen
Laura Choi
Jennifer Courter
Cristina Toribio

[Principal: William Bawden].

SOUTH HIGH SCHOOL

Polwin Chan

[Principal: Dr. John Schmitt].

TORRANCE HIGH SCHOOL

Jean Jen Pan
Wesley Smith
Michael Pivavaroff

[Principal: Joseph Rotcher].

BISHOP MONTGOMERY

David Arce
Allison Laney
Jennifer Rohan
Helen Park
Ingrid Chlup

[Principal: Brother Thomas Fahey].

8c. PRESENTATION OF SERVICE AWARDS:

Mayor Geissert presented service awards to the following City employees.

Deputy Police Chief Jim Popp - thirty years.

Employment and Training Administrator Pat Unangst
- fifteen years.

Groundskeeper Garry (Kim) Force - fifteen years.

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8d. COMMITTEE REPORT - CITY PARTICIPATION IN AYSO 25TH ANNIVERSARY CELEBRATION:

Held until later in the meeting - see Page 8.

8e. RESOLUTION CONGRATULATING AMERICAN YOUTH SOCCER ORGANIZATION:

RESOLUTION NO. 89-131

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE COMMENDING AND CONGRATULATING THE AMERICAN YOUTH SOCCER ORGANIZATION ON THE OCCASION OF THEIR 25TH ANNIVERSARY

MOTION: Councilman Nakano moved to adopt Resolution No. 89-131. His motion was seconded by Councilwoman Hardison and roll call vote was unanimously favorable [Councilman Mock not as yet arrived].

Mr. Dick Wilson, Executive Vice President of AYSO, accepted, with appreciation, the above resolution, following which he presented souvenir pins and badges to the Mayor and Council.

* * *

At this time [6:15 p.m., Council Mock arrived].

* * *

8f. PROCLAMATION naming June 23, 1989, as United States Coast Guard Auxiliary Day in the City of Torrance:

SO PROCLAIMED by Mayor Geissert and accepted by Joe D'Alesio, a member of the Coast Guard Auxiliary. Mr. D'Alesio introduced Captain of Coast Guard Auxiliary Division 13, Ms. Jamie Keim, and Past Captain, Ken Edwards, who joined him at the podium.

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The Council now returned to --

8a. RESOLUTION HONORING WALTERIA ELEMENTARY SCHOOL:

RESOLUTION NO. 89-115

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF TORRANCE HONORING WALTERIA ELEMENTARY
SCHOOL OF THE TORRANCE UNIFIED SCHOOL
DISTRICT FOR ITS SELECTION AS A CALIFORNIA
DISTINGUISHED SCHOOL

MOTION: Councilman Nakano moved to adopt Resolution
No. 89-115. His motion, seconded by Councilman Walker, carried
unanimously by roll call vote.

[See Page 3 for presentation of this resolution].

8b. RESOLUTION HONORING ANZA ELEMENTARY SCHOOL:

RESOLUTION NO. 89-116

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF TORRANCE HONORING ANZA ELEMENTARY
SCHOOL OF THE TORRANCE UNIFIED SCHOOL
DISTRICT FOR ITS SELECTION AS A CALIFORNIA
DISTINGUISHED SCHOOL

MOTION: Councilman Nakano moved to adopt Resolution
No. 89-116. This motion was seconded by Councilwoman Hardison
and roll call vote was unanimously favorable.

[See Page 3 for presentation of this resolution].

The regular agenda order was resumed.

8g. RESOLUTION OF COMMENDATION - ROBERT W. LEWIS:

RESOLUTION NO. 89-132

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF TORRANCE COMMENDING ROBERT W.
LEWIS FOR HIS SERVICE AS PRESIDENT OF THE
TORRANCE AREA CHAMBER OF COMMERCE

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MOTION: Councilman Nakano moved to adopt Resolution No. 89-132. His motion was seconded by Councilwoman Hardison and roll call vote was unanimously favorable.

8h. RESOLUTION OF COMMENDATION - STANLEY E. REMELMEYER:

RESOLUTION NO. 89-133

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE COMMENDING STANLEY E. REMELMEYER FOR BEING SELECTED THE 1988 DISTINGUISHED CITIZEN BY THE TORRANCE AREA CHAMBER OF COMMERCE

MOTION: Councilman Nakano moved to adopt Resolution No. 89-133. The motion, seconded by Councilman Walker, carried unanimously by roll call vote.

8i. RESOLUTION OF COMMENDATION - CHERRYL LIDDLE:

RESOLUTION NO. 89-134

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE COMMENDING CHERRYL LIDDLE AS RECIPIENT OF THE 1989 GEORGE H. WHITTLESEY MEMORIAL AWARD

MOTION: Councilman Nakano moved to adopt Resolution No. 89-134. His motion was seconded by Councilman Mock and roll call vote was unanimously favorable.

8j. RESOLUTION OF COMMENDATION - JOHN ALTER;

RESOLUTION NO. 89-135

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE COMMENDING JOHN ALTER AS RECIPIENT OF THE 1989 J. WALKER OWENS AWARD FOR OUTSTANDING VOLUNTEERISM

MOTION: Councilman Nakano moved to adopt Resolution No. 89-135. This motion was seconded by Councilman Walker and carried by unanimous roll call vote.

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The Council now returned to --

8d. CITY PARTICIPATION IN AYSO ANNIVERSARY CELEBRATION:

RECOMMENDATION:

The City Council Committee on Citizen Development and Enrichment is recommending that the City Council approve the participation of certain departments (i.e., Parks and Recreation, Police, Fire, Cable TV) in the American Youth Soccer Organization's 25th Anniversary Celebration.

Councilman Applegate requested that copies of the resolution earlier presented to the AYSO National Organization [Agenda Item 8e, Page 5] be provided to each of the four Regional Commissioners.

MOTION: Councilman Applegate moved to concur with the above recommendation of the Council Committee on Citizen Development and Enrichment. His motion was seconded by Councilman Nakano and roll call vote was unanimously favorable.

The regular agenda order was resumed.

9. LIBRARY/PARKS AND RECREATION MATTERS:

9a. ACCEPTANCE OF DONATION FROM DOG OBEDIENCE CLUB:

RECOMMENDATION:

The Parks and Recreation Commission and the Parks and Recreation Director recommend that the City Council accept this most generation donation [\$300.00] from the Dog Obedience Club and transmit a letter of appreciation. It is also recommended that the money be appropriated for the Parks Special Events Account.

MOTION: Councilman Wirth moved to concur with the above stated recommendation on Agenda Item 9a. His motion, seconded by Councilwoman Hardison, carried without objection.

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9b. APPOINTMENTS TO METROPOLITAN COOPERATIVE LIBRARY
SYSTEM LAY ADVISORY BOARD:

RECOMMENDATION:

The City Librarian recommends that Your Honorable body appoint Mrs. Cindi Hammond as the Torrance delegate to the Metropolitan Cooperative Library System Advisory Board, and that Mrs. Barbara Gejer be appointed to serve as alternate.

MOTION: Councilman Wirth moved to concur with the above recommendation of the City Librarian. His motion, seconded by Councilman Walker, carried unanimously by roll call vote.

10. TRANSPORTATION/PUBLIC WORKS MATTERS:

10a. ENCROACHMENT AGREEMENT FOR DECORATIVE FENCE - 5338
CAROL DRIVE:

[Proponent: Michael J. and Julie Ann Kondor].

RESOLUTION NO. 89-136

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF TORRANCE AUTHORIZING THE EXECUTION
OF THAT CERTAIN ENCROACHMENT AGREEMENT
DATED , 1989, BETWEEN THE CITY OF
TORRANCE AND MICHAEL J. AND JULIE ANN
KONDOR PERMITTING THE ENCROACHMENT IN THE
PUBLIC RIGHT-OF-WAY AT 5338 CAROL DRIVE
WITH A DECORATIVE FENCE

MOTION: Councilman Nakano moved to adopt Resolution No. 89-136. His motion, seconded by Councilwoman Hardison, was unanimously approved by roll call vote.

10b. SOUTH BAY TRANSIT TELEPHONE INFORMATION PROJECT MOU:

RESOLUTION NO. 89-137

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF TORRANCE AUTHORIZING EXECUTION
OF A MEMORANDUM OF UNDERSTANDING GOVERNING
IMPLEMENTATION OF THE SOUTH BAY TRANSIT
TELEPHONE INFORMATION PROJECT IN FY 1988-89

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MOTION: Councilman Nakano moved to adopt Resolution No. 89-137. This motion, seconded by Councilman Walker, carried unanimously by roll call vote.

10c. MODIFICATION TO ENGINEERING DEPARTMENT STAFFING LEVELS:

RECOMMENDATION:

It is recommended that Your Honorable Body approve the modification to staffing levels in the Engineering Department.

Details of the above staffing requests were provided by City Engineer Burt [per agenda material of record].

MOTION: Councilwoman Hardison moved to concur with the recommendation of the Engineering Department as set forth in Agenda Item 10c. Her motion was seconded by Councilman Mock and roll call vote was unanimously favorable.

12. PLANNING AND ZONING MATTERS:

12a. REZONING OPTIONS FOR COLUMBIA SCHOOL SITE:

RECOMMENDATION:

The City Council has the option either to initiate the rezoning process now, or wait for the Torrance Unified School District or developer to initiate the process at a later date. If the City Council decides to initiate the zone change process, input from the community supports staff's recommendation that the Columbia School site property should be rezoned to a density not to exceed that of the residential area to the north.

Councilwoman Hardison observed that the Columbia School site was considered at a recent School Board meeting, and it was apparent that the District is going forward at this time with an Environmental Impact Report for that site. Ms. Hardison pointed out that the normal procedure in the City of Torrance is for a hearing before the Environmental Review Board to determine whether or not an EIR is needed, and the City is then involved in the selection of the preparer of that report.

Principal Planner Bihn affirmed that an Environmental Assessment is necessary as a first step in the rezoning process in the City of Torrance.

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An extensive Council discussion ensued wherein the results of the recent community meeting on this subject were reviewed; detailed clarification regarding procedural matters was provided by staff; and optional approaches with attendant cost factors were explored.

It was suggested by Councilman Applegate that a requirement might be attached to the Public Use Zone which would stipulate that a note be placed on the title of the property indicating that anything other than Public Use zoning would require a zone change.

Councilman Walker indicated his preference that the City move forward at this time with a rezoning application in order that concerns of area residents [brought out at the recent community meeting] might be assuaged.

Continuing discussion revealed that the Council generally favored a senior citizen housing/Switzer Center [or similar school use] combination development for this site.

It was pointed out by Principal Planner Bihn that, were the Switzer Center to utilize a portion of the site, the zoning on that portion could remain Public Use [PU] which allows some charitable uses. Mr. Bihn suggested consideration of an overlay mechanism [R-5 (PP)] to allow for development of senior citizen housing with development controls represented by the Precise Plan requirement.

As a result of the foregoing discussion, Mayor Geissert summarized the Council's desire that there be no commercial, industrial or high-density residential development on the site. The Mayor stated her opinion that Council has the responsibility to assure, when public use land is proposed for removal from public use, that there aren't "unmet" public purposes that might be well served on that particular piece of land.

The Mayor suggested that the matter be forwarded to the Planning Commission for a study of options not exceeding R-2 density; consideration of possible multi-purposes uses which would include senior citizen housing and a private school; perusal of financing mechanisms that might be available to the City; etc.

The possibility of R-TH zoning was briefly discussed. Principal Planner Bihn advised, in response to a question by Councilwoman Hardison, that if the subject site proves to be less than 5 acres in size, R-TH development is a possibility at 12 units per acre. Mr. Bihn suggested that selection of the Low Medium Density General Plan category might be considered as an option.

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The next approach discussed by Council was the option of submitting the matter directly to the Planning Commission for study of the various zones deemed appropriate by the Council.

The desire of the neighborhood for an R-1 type of development such as the Prairie School site [under Planned Development zoning] was mentioned. Principal Planner Bihn pointed out that the PD zone is favored by staff for its flexibility of design and controls.

Personal opposition to the R-TH zone was noted by Councilman Applegate inasmuch as the neighbors have voiced a desire for an R-1 appearance to the development of the site.

Audience input was invited by the Mayor.

First to speak was Mr. Larry Brugnatelli, Associate Director of the Switzer Center, who expressed their interest in using that portion of the site with the building in tact and indicated support of the rest of the site being utilized for senior citizen housing.

Members of the Council urged Mr. Brugnatelli to become actively involved with the School District insofar as their interest in the property is concerned.

Councilman Wirth requested staff to provide information as to similar developments in the City of Redondo Beach. The City Manager's office will follow through.

Mayor Geissert requested information as to controls the City might exercise to assure the maintenance of affordable senior citizen housing as opposed to a possible future conversion to family housing which, she stated, could create slum-like conditions because of the density. City Manager Jackson indicated that a report relative to the City's financial resources to assure some basic, underlying control [including the 20% tax increment set aside for housing] will be forthcoming.

Next to speak from the audience was Mr. Robert Thompson, Madrona Homeowners Association, 1225 Cranbrook. Mr. Thompson suggested that the goal of the School District should be the good of the community, not to maximize their profit. He deemed "inappropriate" the District's interest in "going into the apartment business."

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Ms. Eileen Hawkins, 1303 Date Avenue, related her family's experience relative to educating a child with special needs and expressed her outrage at the continued selling of schools. Retaining the PU zone was urged by this speaker.

Ms. Linda Lewis, 18406 Kingsdale Avenue, 1/2 block north of the Columbia School site, indicated that concerns of the residents center around the prospect of multiple units and the ability of senior citizen housing to "slide" into family housing. Development to a maximum of R-2 density was requested by Ms. Lewis, who also requested that area residents be kept informed of the workings of the Council and Planning Commission while this matter is under consideration.

Speaking for the Torrance League of Women Voters, Ms. Lynitta Schaffer, 1632 Torrance Boulevard, voiced the League's opposition to any plan of the School District to rezone the subject site to the R-2 level with the intention of developing to a maximum density with apartments. Ms. Schaffer indicated their support for senior housing or a combination of that use with the Switzer Center.

Ms. Sandi Monda, 21506 Talisman, speaking on behalf of the Executive Board of the Southwood Homeowners Association, urged compatibility of development with the existing residential neighborhood and careful review of environmental aspects. In response to a question by Ms. Monda, City Manager Jackson advised that any Environmental Impact Report presently being prepared by the School District would not be considered the Environmental Impact Report required under the City's rezoning process and may not be pertinent to what the ERB would require.

MOTION: Councilwoman Hardison moved to recommend that the issue of possible zone change options be sent to the Planning Commission for a Land Use Study looking at the possibility of R-1, R-2, R-5 (PP) and PU. The motion was seconded by Councilman Wirth.

It was clarified at the request of City Manager Jackson that the options to be brought forward in the study would include a possible Public Use/senior citizen housing combination.

Councilman Walker voiced opposition to the motion, it being his opinion that the matter should go to the ERB for a zone change to R-1/R-2, with latitude to include senior housing along with a use similar to that of the Switzer Center.

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A SUBSTITUTE MOTION was offered by Councilman Applegate to direct staff to initiate a Zone Change to R-1 and R-2, as the first step in the rezoning process. The motion was seconded by Councilman Walker.

Mayor Geissert indicated her support of the main motion because the substitute motion would preclude public uses and senior housing.

The substitute motion FAILED to carry as shown by the following roll call vote.

AYES: Councilmembers Applegate, Mock and Walker.

NOES: Councilmembers Hardison, Nakano, Wirth and Mayor Geissert.

The main motion carried as is indicated below.

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

NOES: Councilmembers Applegate, Mock and Walker.

* * *

At 7:46 p.m., a brief recess was called. At 8:00 p.m., the Council returned to announce consideration of the next item out of order.

* * *

Considered next out of order --

23. EXECUTIVE SESSION MATTERS:

NOTE: Additional executive session matters were considered at the end of the meeting -- see Pages 25 and 26.

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 subject:

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- Pending litigation entitled John Rastello, et al., vs. Rollo Green, et al., Los Angeles Superior Court Case No. SWC 74882.

At 8:01 p.m., the Council recessed to executive session, returning at 8:30 p.m.

Regular agenda order was resumed --

14. PERSONNEL MATTERS:

14a. FISCAL YEAR 1989-90 JTPA OPERATIONAL PLAN/BUDGET:

RECOMMENDATION:

It is recommended that Your Honorable Body approve Fiscal Year 1989-90 JTPA Operational Plan/Budget.

MOTION: Councilman Walker moved to concur with the above stated recommendation on Agenda Item 14a. His motion was seconded by Councilman Wirth and roll call vote was unanimously favorable.

15. HEARINGS:

15a. PP 89-2, AL CLOUTIER:

Mayor Geissert announced that this was the time and place for City Council consideration of an appeal by a neighboring resident of a Planning Commission approval of a Precise Plan of Development to allow the construction of a second-story addition to an existing one-story residence on property located in the Hillside Overlay District in the R-1 Zone at 23005 Carlow Road: PP 89-2, AL CLOUTIER.

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

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

Following staff clarification in response to specific questions from the Council, Mayor Geissert invited the proponents to address the Council.

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The applicant, Al Cloutier, accompanied by his wife, Kathy, 23005 Carlow Road, described their design modifications in an effort to allay neighbors' concerns, and also advised that nine of the homes within a 300-foot radius of their residence are two stories in height and are constructed at a higher elevation than their single-story home. Mr. Cloutier maintained that the subject project has been designed in conformance with the Hillside Ordinance and favorable Council consideration was requested.

Present to speak in opposition to the subject project were:

- o Ms. Jean Carrier, 4613 Reese Road [split-level home] - read aloud statement from her husband expressing concerns regarding view and privacy loss.
- o Mr. Robert Wood, 4605 Reese Road [one room on second story level].
- o Ms. Pat Fleming, 4601 Reese Road [second-story addition over garage only].

Concerns voiced by these speakers centered primarily around view and privacy issues, height and bulk impacts, precedent-setting possibilities, interference with harmony of environment, decrease in property values, etc.

The hearing was closed upon a motion by Councilman Aplegate; seconded by Councilman Walker and carried unanimously by roll call vote.

MOTION; Councilman Walker moved to deny the appeal and approve the project as currently revised. His motion was seconded by Councilman Nakano.

The many redesign attempts in this case, as well as conditions imposed, were generally acknowledged as an improvement over concerns regarding privacy and view impact voiced by the neighbors.

Councilwoman Hardison expressed her continuing concern regarding the amount of first story vs. amount of second story area per dwelling unit, and urged Planning Commission consideration of that issue.

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Mayor Geissert expressed a reluctance to retain the condition [Planning Commission] that windows in a child's room of the addition be opaque. It was the implied general consensus of the Council that this condition should remain.

Roll call vote on the above motion for approval of the project was unanimously favorable.

RESOLUTION NO. 89-138

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A PRECISE PLAN OF DEVELOPMENT AS PROVIDED FOR IN DIVISION 9, CHAPTER 6, ARTICLE 2 OF THE TORRANCE MUNICIPAL CODE TO ALLOW THE CONSTRUCTION OF A SECOND-STORY ADDITION TO AN EXISTING SINGLE-FAMILY RESIDENCE ON PROPERTY LOCATED IN THE HILLSIDE OVERLAY DISTRICT IN THE R-1 ZONE AT 23005 CARLOW ROAD
PP 89-2: AL CLOUTIER

MOTION: Councilman Nakano moved to adopt Resolution No. 89-138. His motion was seconded by Councilman Walker and roll call vote was unanimously favorable.

16. APPEALS:

16a. SPECIAL ANIMAL PERMIT S89-2 - RACING PIGEONS:

Mayor Geissert announced that this is an appeal of a denial by the Torrance Environmental Quality and Energy Conservation Commission (TEQECC) for Special Animal Permit 89-2 to keep racing pigeons.

RECOMMENDATIONS:

The Environmental Quality and Energy Conservation Commission recommends denial of the request to keep more than four (4) pigeons or doves at 3620 Courtney Way.

Building and Safety Department staff concurs with the Commission's recommendation. If Council denies the Special Animal Permit, it is recommended that a reasonable time be given to relocate the pigeons.

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Environmental Quality Administrator McElroy provided, with the aid of slides, the staff presentation on this agenda item. During her report and the provision of additional clarification and expansion as requested by Council, Ms. McElroy submitted [for the record] four polaroid pictures of a neighbor's property (Robert Penn, 3649 Courtney Way) which evidenced a significant problem from bird droppings.

The Mayor invited the appellant to speak.

Mr. Paul Woehlcke, 3620 Courtney Way, provided extensive background information regarding his hobby and pigeon racing in general [per correspondence and written material included in the agenda packet]. Mr. Woehlcke advised that it is necessary to keep 60-80 pigeons in order to compete, and he maintained that his pigeons do not represent a nuisance to the neighborhood. Approval of this special animal permit was requested.

Audience members who spoke in FAVOR of granting the special permit were:

- o Mr. Tim Thompson, 313 East Walnut, El Segundo, Combine Race Secretary [submitted for the record a page from a Manhattan Beach ordinance regulating the keeping of pigeons in that city];
- o Mr. Barry Dunbridge, 3614 Courtney Way [next door to Mr. Woehlcke];
- o Mr. Vincent Orefice, 3341 Danaha Street [also raises racing pigeons in the neighborhood with no complaints].

These speakers maintained that these birds are not disease carriers; do not represent a nuisance to the community; and City regulations are being complied with.

Speaking in OPPOSITION to the subject request were:

- o Ms. Elaine Brent, 3614 Eleda Drive;
- o Ms. Terry Irvine, 3625 Eleda Drive;
- o Mr. Mark Irvine, 3625 Eleda Drive;
- o Mr. Mike Colgrove, 3631 Eleda Drive;
- o Mr. Dave Brent, 3614 Eleda Drive;
- o Mr. Ken Kustra, 3613 Courtney Way.

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Reasons given for opposition included feelings of annoyance and distress when the birds are exercised; cleanliness and sanitary concerns; negative effect on property values; long-range nuisance potential; precedent-setting aspects; high probability of disease carriers; difficulties in controlling the number of birds at this location; and the privilege, rather than right, represented by the special permit process.

A brief Council discussion developed.

Councilman Wirth noted that a key influence in his decision on this case was his personal visit to the neighborhood which revealed no evidence of a nuisance in his opinion.

MOTION: Councilman Wirth moved to grant the appeal and permit the Special Animal Permit 89-2 for the keeping of racing pigeons. His motion was seconded by Councilman Mock.

Councilman Walker inquired regarding the possible rescinding of the permit were it determined in the future that the pigeons represented a health problem for the neighborhood. City Attorney Nelson affirmed that grounds for revocation have been provided in the ordinance, thus providing the protection desired by Mr. Walker.

Concerns were voiced by Mayor Geissert who suggested that a limit of 60 birds be established.

The applicant returned to the microphone at this point and stated that he would rather have the number of pigeons allowed to fly at any one time limited to 40, rather than restricting to 60 the total number of birds to be kept.

Enforcement problems in this regard were generally acknowledged, and Councilman Wirth indicated his intent that the number of birds be limited to a maximum of 80 [the permit application being for 60-80 pigeons].

Councilman Applegate voiced opposition to the motion stating that he would not personally like to have such an operation in his neighborhood.

Councilman Nakano expressed similar objections, noting that there is a large number of birds involved and they are frequently released from the owner's property which apparently causes problems for the neighborhood.

Addressing the matter on a complaint basis, rather than restricting the number of birds allowed was favored by Councilman Mock.

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The motion to allow the Special Animal Permit in this case carried by way of the following roll call vote.

AYES: Councilmembers Mock, Walker, Wirth and Mayor Geissert.

NOES: Councilmembers Applegate, Hardison and Nakano.

17. ADMINISTRATIVE MATTERS:

17a. INCREASE IN CITY MANAGER'S CONTRACT AND PURCHASING APPROVAL AUTHORIZATION:

ORDINANCE NO. 3278

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING CERTAIN SECTIONS OF CHAPTER 2 OF DIVISION 2 OF THE TORRANCE MUNICIPAL CODE INCREASING THE MONETARY LIMITS OF THE CITY MANAGER'S PURCHASING POWER

MOTION: Councilman Nakano moved to approve Ordinance No. 3278 at its first reading. His motion, seconded by Councilman Walker, carried by the following roll call vote.

AYES: Councilmembers Applegate, Hardison, Mock, Nakano and Walker.

NOES: Councilman Wirth and Mayor Geissert.

Councilman Wirth commented that, although he is appreciative of the number of mechanisms to be established by the City Manager for keeping the Council informed, he is philosophically opposed to the above action.

20. CONSENT CALENDAR:

20a. COUNCIL AWARD OF CONTRACT(S): For annual requirements of miscellaneous stationery and office supply items.
Expenditure: \$68,481.19 (includes tax).

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RECOMMENDATION

The Purchasing Division and Central Services Division recommend that Your Honorable Body award five (5) annual contracts to the responsible low bidder of each of the two hundred forty-eight (248) bid items, with the understanding that firm prices were bid by Boise Cascade Office Products Corporation and Eastman, Inc. for a period of one (1) year and the other three (3) bidders for a period of six (6) months. Price adjustments for these three (3) bidders shall be authorized under the following conditions:

1. The companies provide substantiated price increase by the manufacturer whenever a price increase is sought;
2. That the amount of the increase shall be limited to the amount of the increase received by the company from the manufacturer.

It is recommended that Council award the following contracts:

| <u>VENDOR</u> | <u>NUMBER OF ITEMS</u> | <u>TOTAL AMOUNT (including tax)</u> |
|--|------------------------|--|
| 1. Boise Cascade Office Products Corporation Rancho Dominguez, CA | 144 | \$41,384.23 |
| 2. Eastman, Inc. Signal Hill, CA | 65 | \$14,904.00 |
| 3. Bayless Stationers Carson, CA | 28 | \$ 6,721.14 |
| 4. Omni Office Products Torrance, CA | 10 | \$ 3,997.59 (includes 1% tax consideration) |
| 5. Xerox Corporation Long Beach, CA | 1 | \$ 1,474.23 |

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- 20b. COUNCIL AWARD OF CONTRACT: to furnish new replacement evaporative condenser for City Hall West Annex Building.
(No installation involved).

RECOMMENDATION:

The Purchasing Division and the Air Conditioning/Heating Division recommend that Your Honorable Body approve the contract to furnish a new replacement evaporative condenser for City Hall West Annex Building from Engineered Comfort Systems, Inc. Total expenditure is \$17,892.00.

- 20c. REQUEST FOR COUNCIL REJECTION OF BID -
Re: Contract to furnish the City's requirement of crushed rock and washed plaster sand.
Ref: Bid No. B89-40.

RECOMMENDATION:

The Purchasing Division recommends that Council reject the single partial bid received and authorize staff to rebid the requirement.

- 20d. COUNCIL AWARD OF CONTRACT: Renewal for maintenance service of elevators located in the Transit Building and City Services Building at City Yard.
Anticipated Expenditure: \$6,500.00.

RECOMMENDATION:

The Purchasing Division recommends that Your Honorable Body authorize the RENEWAL of our maintenance contract with Amtech Reliable Elevator Company of the City of Commerce, California, to provide required maintenance service for City of Torrance elevators located in our City Services Building and Transit Building at the City Yard in the total annual amount of \$6,500.00 including tax.

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

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21. ADDENDUM MATTERS:

21a. INTRODUCTION OF VALEDICTORIANS:

See Page 3.

* * *

At 10:55 p.m., the City Council convened in joint session with the Redevelopment Agency of the City of Torrance. At 10:56 p.m., the regular Council agenda order was resumed, the Council/Agency remaining in joint session for purposes of a joint executive session later in the meeting - see Pages 25 and 26.

* * *

22. ORAL COMMUNICATIONS:

22a. See Page 2.

22b. Parks and Recreation Director Barnett announced that the City's annual Summer Musical for 1989 will be OLIVER and will be staged at El Camino's Marsee Auditorium July 7, 8, 14 and 15.

22c. Councilman Applegate congratulated Parks and Recreation Director Barnett, Street Superintendent Garcia and all staff members involved for the outstanding team effort in completing work on the new Bartlett Senior Citizens Center.

22d. Councilwoman Hardison commended staff on the delightful dedication of the Bartlett Center.

22e. Councilwoman Hardison expressed appreciation to Police Chief Nash for information recently received on the Cal ID Program.

22f. Councilman Walker noted that the verification of signatures for the ballot initiative will be returned to the City very shortly and he requested that there be adequate public notice of the meeting at which the Council will make its decision in that regard.

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Mr. Walker requested, should the Council decide to set the initiative to an election, that the date of that election be established as soon as possible.

22g. Councilman Wirth related his enjoyment of the dedication ceremony for the Bartlett Center, and recognized Mr. Russ Nolte and the Senior Citizens Council for their role in completion of the project.

22h. Councilman Wirth noted that a recent workshop dealing with various issues of library services was an excellent and informative meeting.

22i. Mayor Geissert acknowledged, with appreciation, the success of the Bartlett Center dedication.

22j. Mayor Geissert noted a problem regarding parking restrictions within the Windemere development and requested that the City Manager investigate and provide any assistance which may be appropriate.

22k. Mayor Geissert requested that staff provide an update on the status of the RMPP and the Economic Impact Study regarding Mobil Oil. The urgency in completing such action was voiced by the Mayor.

22l. City Clerk Bramhall advised that the sufficiency report regarding the initiative pertaining to Mobil Oil will be an agenda item for the June 27 City Council meeting. The possibility of a special Council meeting being required during the week of July 3 was acknowledged.

22m. Ms. Marilyn Throssel, 3909 West 176th Street, introduced herself as a member of the new Northwest Torrance Homeowners Association.

22n. Ms. Eileen Hawkins, 1303 Date Avenue, related a recent traffic incident which occurred near the Madrona Avenue School. It was recommended that this citizen meet with a representative of the City Manager's office for guidance on follow up action. A meeting with school administration was also recommended by Councilmembers Hardison and Nakano.

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23. EXECUTIVE SESSION:

23a. EXECUTIVE SESSION MATTERS:

NOTE: One item under executive session matters was considered earlier in the meeting - see Pages 14 and 15.

The City Council/Redevelopment Agency having remained in joint session [see Page 23], Mayor/Chairwoman 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;
- Pending litigation entitled People of the State of California, ex rel., vs. Mobil Oil Corporation, et al., Los Angeles Superior Court Case No. C 719953;
- Pending litigation entitled City of Torrance vs. Walter J. Egan, Los Angeles Superior Court Case No. C 694935;
- The acquisition of residential property at 2514 Carson Street for the expansion of Fire Station Number One.
- Pending litigation entitled Fred Smith vs. The City of Torrance, Los Angeles Superior Court Case Number C 620563.

To confer with the City Attorney regarding authority to negotiate settlement of the following claims against the City:

Claim Number A87-613, Ernie Barron;
Claim Number A89-106, Erie and Leardis Faniel;
Claim Number A88-645, Billy Ray Forte; and,
Claim Number A89-23, Benjamin Rojas.

Authority to hold an executive session for these purposes is contained in Government Code Sections 6254.25; 54957.6(a); 54957; 54956.9(a); 54956.8; and 54956.9(b)(1).

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Councilman Nakano announced that, upon the advice of the City Attorney, he will abstain from consideration of the issue that relates to the Redevelopment area. Mr. Nakano subsequently absented himself from the meeting room during discussion of that item.

At 11:25 p.m., the City Council/Redevelopment Agency recessed to a joint executive session, returning at 12:12 a.m., to take the following Council-related action.

MOTION: Councilman Applegate moved to adopt in concept Memoranda of Intent for the following employee organizations:

Torrance City Employees Association
Torrance Fiscal Employees Association
Torrance Library Employees Association
Torrance Recurrent Recreation Employees
Association
Torrance Crossing Guards Employees Association.

His motion was seconded by Councilwoman Hardison and roll call vote was unanimously favorable.

City Attorney Nelson requested that the Council authorize negotiation of settlements for the following cases:

- Ernie Barron
- Benjamin Rojas
- Billy Ray Forte
- Erie and Leardis Faniel.

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

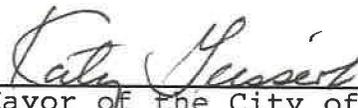
24. ADJOURNMENT:

At 12:14 a.m., the City Council and Redevelopment Agency of the City of Torrance were formally adjourned to Tuesday, June 27, 1989, 7:00 p.m.

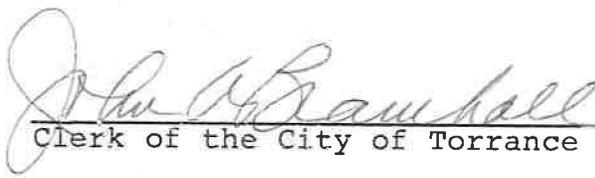
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Peggy Laverty
Minute Secretary

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Mayor of the City of Torrance



Clerk of the City of Torrance

Peggy Lavery
Minute Secretary

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