

I N D E X

Torrance City Council - October 31, 1989

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At 11:25 p.m., this meeting was formally adjourned to Tuesday, November 7, 1989, 5:30 p.m.	

#

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, October 31, 1989, at 5:37 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 Nelson, City Clerk Bramhall, and Staff representatives.

3. FLAG SALUTE/INVOCATION:

Mr. George Post led in the salute to the flag.

The invocation for the meeting was provided by Pastor Ralph G. Bates, Crenshaw Baptist Church.

4. APPROVAL OF MINUTES/MOTION RE FURTHER READING:

September 19, 1989: Councilwoman Hardison requested that on Page 23, fifth paragraph, of the September 19 minutes her name be deleted as a committee member.

MOTION: Councilman Applegate moved to approve the minutes of the City Council meeting of September 19, 1989, as above corrected. His motion was seconded by Councilman Mock and roll call vote was unanimously favorable.

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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 Councilwoman Hardison and roll call vote was unanimously favorable.

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.

6. WITHDRAWN OR DEFERRED ITEMS:

None.

7. COUNCIL COMMITTEE MEETINGS:

Finance Committee --

Tuesday, November 7, 1989, 4:30 p.m.
Subject: First Quarter Budget Review.

Ad Hoc Armed Forces Day Committee:

Tuesday, November 21, 1989, 4:30 p.m.
Subject: 1990 Armed Forces Day Parade.

Transportation Committee:

Tuesday, December 12, 1989, 6:00 p.m.
Subject: Torrance Boulevard Study.

8. COMMUNITY MATTERS:

8a. KASHIWA DELEGATION:

Mayor Geissert, assisted by Ms. Mikko Henson and Councilman Nakano, introduced the visiting teacher delegation from Kashiwa, Japan...

Leader: Fusaji Seki, Principal

Teachers: Tokio Nakamura
Fumiko Nemoto
Harue Tanioka.

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There was an exchange of gifts between the Kashiwa visitors and the City of Torrance, with appreciation for this long-standing association expressed by both parties.

8b. RESOLUTION SALUTING TORRANCE NATIONAL BANK:

RESOLUTION NO. 89-248

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF TORRANCE SALUTING THE TORRANCE
NATIONAL BANK ON ITS SIXTEENTH
ANNIVERSARY

MOTION: Councilman Nakano moved to adopt Resolution No. 89-248. His motion, seconded by Councilman Walker, carried unanimously by roll call vote.

This resolution, presented by Mayor Geissert, was gratefully accepted by Mr. George Post, President and Chairman of the Board of Torrance National Bank, accompanied by Mr. Robert Leech, Executive Vice President and Cashier of the bank.

8c. RESOLUTION HONORING BUILDING MAINTENANCE SUPERVISOR
JACK HAMMEL:

RESOLUTION NO. 89-249

A RESOLUTION OF THE CITY COUNCIL HONORING
BUILDING MAINTENANCE SUPERVISOR JACK HAMMEL
FOR HIS PROFESSIONALISM, DEDICATION, AND
MANY CONTRIBUTIONS TO THE CITY OF TORRANCE
THROUGHOUT HIS TWENTY-THREE YEARS OF SERVICE

MOTION: Councilman Nakano, seconded by Councilman Walker, moved to adopt Resolution No. 89-249. Roll call vote proved unanimously favorable.

This resolution was accepted with sincere appreciation by retiring Building Maintenance Supervisor Jack Hammel.

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8d. RESOLUTION HONORING EPSON AMERICA, INC:

RESOLUTION NO. 89-247

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING EPSON AMERICA, INC. FOR ITS SUPPORT OF CULTURAL ARTS IN THE COMMUNITY BY ITS GENEROUS CONTRIBUTION OF THE JAPANESE GARDEN FOR THE TORRANCE CULTURAL ARTS CENTER

MOTION: Councilman Nakano moved to adopt Resolution No. 89-247. This motion, seconded by Councilman Walker, carried by unanimous roll call vote.

Joining the Mayor at the podium was Mr. Steven Huey, Vice President, Administration and Stakeholder Relations, who introduced Epson America's Executive Vice President and Chief Executive of Coordination, Mr. S. Kawai. The above resolution was accepted with appreciation by Mr. Kawai.

Slides depicting the concept and preliminary design of the Japanese garden were presented by Mr. Takeo Uesugi, architect for the project.

8e. PROCLAMATION Declaring November 1989 AS "READ TOGETHER MONTH" in the City of Torrance:

SO PROCLAIMED by Mayor Geissert, and accepted by Senior Librarian and Supervisor of Children's Services, Ms. Sonia Anderson.

8f. PROCLAMATION Naming the Remaining Months of 1989 and all of 1990 as "BUCKLE-UP FOR LIFE CHALLENGE" in the City of Torrance:

SO PROCLAIMED by Mayor Geissert and accepted by Police Chief Donald Nash.

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8g. RESOLUTION HONORING JOSEPH W. VENABLE III:

RESOLUTION NO. 89-250

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING JOSEPH W. VENABLE, III FOR HIS DEDICATION, PROFESSIONALISM, AND CONTRIBUTIONS TO THE CITY OF TORRANCE THROUGHOUT HIS TWENTY-NINE YEARS OF SERVICE

MOTION: Councilman Nakano moved to adopt Resolution No. 89-250. This motion was seconded by Councilman Walker and roll call vote was unanimously favorable.

This resolution will be presented at a later date.

10. TRANSPORTATION/PUBLIC WORKS MATTERS:

10a. PARCEL MAP 19947 (D 89-12)

SUBDIVIDER: Torrance Business Park
LOCATION: N.W.C. Prairie Avenue and Challenger Street
NO. OF LOTS: 2 lots.

RECOMMENDATION:

The Engineering Department recommends that the City Council approve Parcel Map No. 19947, accept the easement dedicated thereon, and reject the future street offer.

MOTION: Councilwoman Hardison moved to concur with the above stated recommendation of the Engineering Department. Her motion, seconded by Councilman Walker, carried by unanimous roll call vote [Councilman Applegate ABSTAINED].

10b. RATE REVISION/REFUSE DISPOSAL AGREEMENT WITH WESTERN WASTE INDUSTRIES [CONTRACT C-2206]:

RESOLUTION NO. 89-251

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE APPROVING A NEW REFUSE DISPOSAL AGREEMENT AND A RATE REVISION FOR REFUSE DISPOSAL AT THE WESTERN WASTE INDUSTRIES TRANSFER STATION

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MOTION; Councilman Nakano moved to adopt Resolution No. 89-251. His motion was seconded by Councilman Walker.

Prior to roll call vote, Sr. Administrative Analyst Rountree addressed the Council and, referencing the ANALYSIS section of the staff material, noting that the last time period referenced on the bottom of Page 1, should be corrected to read 7-1-91 through 6-30-92 [rather than 7-1-92 through 6-30-93].

Ms. Rountree also provided clarification and expansion of staff material as requested by individual Councilmembers, who expressed their concerns regarding the serious problem represented by the closure of various landfill sites.

Councilwoman Hardison requested that an analysis of AB 939 be provided to the Council.

Noting his recent attendance at a conference on recycling, Councilman Mock expressed his personal interest in the type of recycling program to be instituted by the City of Torrance. A recycling plan, Ms. Rountree noted, will be provided to the Council within a two-week period. Mr. Mock requested that, when the recycling options are presented to the Council, other options, including the possibility of private enterprise, be included.

Roll call on the motion to adopt Resolution No. 89-251 was unanimously favorable.

10c. COUNTY AID-TO-CITIES FUNDS REQUEST (1989-90 MAINTENANCE):

RESOLUTION NO. 89-252

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF TORRANCE REQUESTING AN ALLOCATION
AND PAYMENT OF COUNTY AID-TO-CITIES FUNDS
FOR THE MAINTENANCE OF SELECT SYSTEM STREETS

MOTION: Councilman Nakano moved to adopt Resolution No. 89-252. His motion was seconded by Councilwoman Hardison and roll call vote was unanimously favorable.

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10d. AWARD OF CONTRACT -- IRRIGATION SYSTEM AND PARKWAY
LANDSCAPING AT EL DORADO RETENTION BASIN:

RESOLUTION NO. 89-253

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF TORRANCE, CALIFORNIA, TO AWARD A
CONTRACT TO CLASSIC CUT, INC. FOR THE
CONSTRUCTION OF AN IRRIGATION SYSTEM AND
PARKWAY LANDSCAPING AT THE EL DORADO
RETENTION BASIN LOCATED AT MAPLE AVENUE
AND EL DORADO STREET (B89-67), AND
AUTHORIZING ITS EXECUTION

MOTION: Councilman Nakano moved to adopt Resolution
No. 89-253. His motion, seconded by Councilwoman Hardison,
carried by unanimous roll call vote.

14. PERSONNEL MATTERS:

14a. PRINCIPAL BUILDING INSPECTOR CLASS SPECIFICATION
CHANGES:

RECOMMENDATION:

The Personnel Department and the Civil Service Commis-
sion recommend that your Honorable Body approve the
revised and retitled class specification for Principal
Building Inspector. Torrance Professional and Super-
visory Association [TPSA] concurs in this recommenda-
tion.

MOTION: Councilman Wirth moved to concur with the
above stated recommendation on Agenda Item 14a. His motion,
seconded by Councilwoman Hardison, was unanimously approved by
roll call vote.

15. HEARINGS:

15a. CUP 89-32, PCR 88-3, D 89-31, RGA, INC./ROBERT
GARSTEIN:

Mayor Geissert announced that this was the time and
place for Council consideration of an appeal of a Planning Com-
mission approval of a Conditional Use Permit and Planning Commis-
sion Review to allow the construction of three two-story, two-
unit detached condominium developments and a Division of Lot to
allow three one-lot subdivisions for condominium purposes on

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property located in the Small Lot Low-Medium Density Overlay District in the R-2 zone at 1816, 1820 and 1824 Andreo Avenue. CUP 89-32, PCR 88-3, D 89-31, RGA, INC./ROBERT GARSTEIN.

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

During the staff presentation by Sr. Principal Planner Gibson, it was noted that the Planning Commission and the Planning Department recommend denial of the appeal and approval of the project as conditioned by the Planning Commission.

Council inquiries were then directed to the standards governing development in this R-2 Small Lot Overlay District and clarification regarding the review process and those criteria governing same were explained by Mr. Gibson.

Mr. Mike Abrams, 1022 Tenth Street, Manhattan Beach, one of the owners of the property, submitted elevations of the proposed project; photographs of the surrounding area; and photos representing a typical project of this developer in Redondo Beach.

In describing the project and reviewing its history to date, Mr. Abrams advised that demolition of the existing units on the subject parcels was accomplished in early summer at the request of the City. The applicant's original intent, according to this speaker, was for two units on a lot. The preference then changed to single family homes which was discouraged by local realtors, and, per Mr. Abrams, the applicants then opted for two-unit condominiums as is presently before Council.

Addressing the impact of the second story on the front unit and the question of compatibility with the neighborhood, Councilwoman Hardison called attention to other developments in this area of 5100 square-foot lots which have come in with a .51 FAR as compared with a .53 FAR [excluding garages] for this development. Ms. Hardison deemed this proposal "on the high edge for density in this area."

From the audience, Ms. Bobbye Fisher, 1828 Andreo Avenue, representing residents of the area, read aloud a statement which she submitted for the official record on this case. Strong opposition to the proposed development was voiced by this speaker and adherence to the .50 FAR standards was urged, rather than the .68 FAR, including garages, which is represented by this project.

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Referencing his correspondence [included in agenda packets] protesting the subject proposal, Mr. Kim Force, 1904 Andreo Avenue, maintained that the applicants demonstrated a total disregard for the neighborhood by allowing the previous structures on these lots to deteriorate "to an appalling level" which subsequently resulted in their demolition. Issues such as traffic, parking, density, trash, compatibility, etc. were touched upon by this speaker and denial was requested.

Mr. Robert Garstein, 2545 West 237th Street, countered parking concerns by noting, as was stated at the Planning Commission hearing on this case, that the subject proposal increases parking provisions for these lots. He also advised that trash containers could easily be accommodated for the units [a concern voiced by Mr. Force].

Mr. John Fulmer, 1920 Andreo Avenue, deemed the proposed .68 FAR to be an abuse of the parameters set forth for these 40-foot wide lots.

Speaking in favor of the proposal was Ms. Doris Ward, 1919 Gramercy Avenue, who offered her opinion that the project will mitigate existing parking problems.

There being no one else who wished to speak, Councilman Applegate moved to close the hearing. His motion was seconded by Councilman Walker and roll call vote was unanimously favorable.

Council discussion ensued.

Design constraints basically dictated by narrow lots were discussed by Councilman Applegate, who stated that although this project would represent a change to the neighborhood, in his opinion concerns regarding open space, parking, driveways, etc. have been attenuated.

MOTION: Councilman Applegate moved to deny the appeal on CUP 89-32, PCR 88-3, D 89-31 [RGA, INC/ROBERT GARSTEIN] and to concur with the Planning Commission and Planning Department for approval of the project as conditioned by the Planning Commission. His motion was seconded by Councilman Walker.

Speaking to his support of the above motion, Councilman Walker deemed this a well-thought-out project with an architecturally compatible design which conforms to R-2 zoning. The addition of better housing to the community and the aspect of private ownership were also noted by this Councilmember as positive considerations.

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Referring to the narrowness of these lots, Mayor Geissert expressed her preference for single-family homes, noting that the proposed project represents greater height and density than she would be able to approve. A single-family unit with a garage apartment or a single-family unit which is quite different from a condominium design would, in the Mayor's opinion establish a desirable trend for the area.

Councilwoman Hardison recalled that the rationale behind the establishment of the overlay zone in this area of narrow lots and narrow streets was for something to work from. With condominium projects now being submitted for the area, Ms. Hardison indicated that she would be willing to consider a modified FAR, should this be deemed appropriate.

Although the area is zoned R-2, and two dwellings are permissible on a lot, Ms. Hardison stressed the necessity for care in the designing of those two units. This particular project would have been more acceptable to this member of Council had the FAR been closer to .5 and if more care had been taken in maximizing the setback in keeping with the neighborhood.

Councilman Mock concurred with comments of Councilwoman Hardison and Mayor Geissert in terms of density and non-compatibility with the neighborhood, and he then offered...

A SUBSTITUTE MOTION to grant the appeal and deny the project without prejudice on CUP 89-32, PCR 88-3, D 89-31 [RGA, INC/ROBERT GARSTEIN]. The substitute motion was seconded by Councilwoman Hardison and carried by way of the following roll call vote.

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

NOES: Councilmembers Applegate and Walker.

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17. ADMINISTRATIVE MATTERS:

17a. BUS LIABILITY INSURANCE RENEWAL:

RECOMMENDATION:

It is the recommendation of the City Manager that your Honorable Body accept the bid proposal from Robert F. Driver Company, Inc. to provide Bus Liability coverage for the period November 1, 1989 to November 1, 1990 at a cost of \$48,480.

MOTION; Councilman Wirth moved to concur with the City Manager's recommendation on Agenda Item 17a. His motion was seconded by Councilman Mock and roll call vote proved unanimously favorable.

17b. GENERAL MUNICIPAL ELECTION - MARCH 6, 1990:

RECOMMENDATION:

It is the recommendation of the City Clerk that Council authorize:

1. Consolidation of County precincts at a two-to-one ratio, with the exceptions as needed for precincts where personnel and polling place restrictions require three- or four-to-one consolidation.
2. The hiring of one Inspector, one Judge, two Clerks, and one Custodian, if necessary, for each polling place to be paid at the County rate. Polling place rental to be paid at the County rate. (\$10,472.00)
3. Payment of \$25.00 in compensation for attendance at Election class. (\$5,600.00)
4. Use of the Votamatic Voting Machines and Ballots.
5. Self-mailer sample ballot and voter information pamphlet.
6. 200-word candidate's statement and candidate's reimbursement to the City for the cost of printing the statement, not to exceed \$300.00.

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7. Adopt resolution setting forth regulations for candidates to be voted upon at the General Municipal Election to be held on Tuesday, March 6, 1990.

RESOLUTION NO. 89-254

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE, PERTAINING TO MATERIALS SUBMITTED TO THE ELECTORATE AND THE COSTS OF THE CANDIDATE'S STATEMENT FOR THE GENERAL MUNICIPAL ELECTION TO BE HELD IN THE CITY ON TUESDAY, MARCH 6, 1990

MOTION: Councilman Nakano moved to adopt Resolution No. 89-254. His motion was seconded by Councilwoman Hardison and roll call vote was unanimously favorable.

MOTION: Councilman Wirth moved to concur with all additional recommendations of the City Clerk as set forth above. His motion, seconded by Councilwoman Hardison, carried unanimously by roll call vote.

17c. GENERAL AVIATION CENTER - ARCHITECTURAL SERVICES:

RECOMMENDATION:

The City Manager requests the City Council concur in the termination of the agreement with H. Wendell Mounce, AIA & Associates for architectural services for the General Aviation Center, and recommends that the City Council authorize the negotiation of a contract with the firm of BOA Architecture for the continuation of architectural drawings for the General Aviation Center.

MOTION: Councilman Applegate moved to concur with the above stated recommendation on Agenda Item 17c. His motion was seconded by Councilman Mock.

Mayor Geissert questioned whether the City should engage the services of another architect at this time because of issues raised in a lawsuit recently brought by a group of pilots charging that the City has put the safety of the public in jeopardy by certain land uses within a mile of the airport. The

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Mayor indicated an unwillingness on her part to spend additional funds on Airport improvements until the issues raised by these pilots have been resolved.

Councilman Applegate WITHDREW his above motion, whereupon Councilman Walker suggested that this agenda item be bifurcated and termination of the Mounce contract be dealt with separately from an agreement with another architect.

A lengthy Council discussion developed, with general expressions of disappointment and dismay regarding the filing of a lawsuit by certain pilots after the extensive efforts through the years to effectuate a compatibility between pilots and homeowners.

Questions were raised regarding possible future Airport utilization in light of the above-mentioned pilot action and a thorough analysis in this regard was urged by Councilman Walker. Funding for the City's defense against this suit was also touched upon.

City Attorney Nelson, in response to a request by Councilwoman Hardison for input, offered comments with regard to the ostensive filing of such a lawsuit [heretofore not confirmed] and indicated that a report will be forthcoming to Council following a full analysis of this complex issue.

MOTION: Councilman Applegate moved for termination of the contract with H. Wendell Mounce and Associates. His motion was seconded by Councilman Walker.

During continued discussion, Councilman Wirth requested an analysis of all costs involved, as well as information regarding the potential of other lawsuits that would deal with the possible closing of the Torrance Airport. Mr. Wirth expressed his hope that the City would continue in its efforts to make the Airport compatible with the community.

Mayor Geissert requested that the Finance Director provide, as soon as possible, information regarding Airport bond monies.

From the audience Mr. Frank Rizzardi, 23544 Carlow Road, indicated concurrence with the Council's approach to this matter.

Roll call vote on the above motion was unanimously favorable with the exception of a negative vote cast by Councilman Wirth.

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* * *

At 7:50 p.m., Mayor Geissert declared a recess. The Council reconvened at 8:20 p.m.

* * *

17d. AMENDMENTS TO P.E.R.S. CONTRACT:

RESOLUTION NO. 89-255

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE APPROVING AN AMENDMENT TO CONTRACT BETWEEN THE BOARD OF ADMINISTRATION OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND THE CITY COUNCIL OF THE CITY OF TORRANCE

MOTION: Councilman Nakano moved to adopt Resolution No. 89-255, including the agreement [as referenced in staff material]. The motion, seconded by Councilwoman Hardison, carried by unanimous roll call vote.

17e. PROPOSED COUNTY COURTHOUSE EXPANSION PROJECT:

RECOMMENDATION:

It is the recommendation of the City Manager that the City Council authorize the following:

1. The coordination of a date with the County Administrator to conduct a town hall meeting to discuss the proposed courthouse expansion project;
2. The expanded notification area for the meeting.

Following a brief overview of this agenda item by City Manager Jackson, Mayor Geissert expressed opposition to the recommendation for a town hall meeting as being somewhat premature.

Council discussion developed relative to the most appropriate procedure and timing to be followed in order that the City might be assured of an opportunity for input in terms of density and overall compatibility within the Civic Center area.

The following motion was offered.

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MOTION: Councilman Applegate moved to authorize the City Manager to coordinate a date with the County Administrator for a public presentation of the proposed courthouse expansion project, as well as recommendation #2, which involves an expanded notification area for the meeting. The motion was seconded by Councilman Walker.

Discussion continued during which Councilman Applegate clarified the intent of his above motion to be to authorize the City Manager to coordinate a date with the County Administrator to conduct a public presentation of what the County's intentions are [regarding courthouse expansion] prior to the time the County Administration makes a presentation or recommendation to the Board of Supervisors.

Procedural questions were raised by Mayor Geissert and continuing discussion resulted in ...

A SUBSTITUTE MOTION being offered by Councilman Wirth that the Council take no action at this time on any type of public hearing dealing with the courthouse. This motion was seconded by Councilman Mock.

At the invitation of Mayor Geissert, Ms. Leah Jeffries, Deputy for Supervisor Deane Dana, addressed the Council regarding this matter. Ms. Jeffries advised of her understanding that a town hall meeting at this point in time had not been contemplated by the County -- rather, they had contemplated sharing with the City Council their views or their approval of the recommendation of the Court Administrator.

Upon being advised by the Mayor that the City Council wants assurance that the City will have early input, Ms. Jeffries stated her understanding, per the Chief Administrative Office this date, that they are contemplating additional contact with the City Manager and a follow up with him for further discussion prior to their final recommendation.

In support of Councilman Applegate's motion as a mechanism to allow the City to follow through in a proper way, Councilman Walker offered his opinion that maximum input on this subject from the people in the community is mandated.

Roll call vote on the SUBSTITUTE MOTION was as follows.

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

NOES: Councilmen Applegate and Walker.

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Mayor Geissert appointed an Ad Hoc Committee -- consisting of herself and Councilmen Mock and Nakano -- to work with the City Manager, the County Administrator and Supervisor Dana's office in gathering information, submitting that information to the Council, and "making it very clear that we want public input into this process before any decisions are made." The Mayor also advised that this committee could then recommend an appropriate time for a presentation to the City Council.

17f. DEVELOPMENT STANDARDS FOR COURT FACILITIES ON PRIVATE PROPERTY:

RECOMMENDATION:

The City Attorney and the Planning Department recommend:

- o That court facilities on private property shall be conditionally permitted in the C-1, C-2, C-3, C-5, M-1, M-2, and M-L zones;
- o That court facilities on private property shall be subject to all applicable City Ordinances, standards and other conditions which the approval authority deems pertinent;
- o That the following guidelines shall be considered in the approval process:
 - a) proximity to residential uses;
 - b) compatibility with adjacent land uses;
 - c) traffic impact;
- o That the number of parking spaces required shall be computed on a site-by-site basis, from the following criteria:
 - a) That the base criteria factor shall be one space per 150 square feet of gross floor area; and
 - b) That the approval authority may adjust the base criteria depending upon the size of the project, the range of services offered, and the location; and

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- o That the accompanying Urgency Ordinance be adopted.

The staff report on this agenda item was provided by Principal Planner Bluman, per agenda material of record.

In response to an inquiry by Councilman Mock, City Attorney Nelson addressed the question of possible pre-emption from the State or County in terms of the proposed ordinance. Mr. Nelson indicated his opinion that the subject ordinance, because of the limitations placed therein, is permissible.

Mr. Jerry Conrow, 23871 Madison Street, read aloud a written statement [copy of which was submitted for the record, together with statistical information on his development, and a copy of a letter dated September 11, 1989, regarding his receipt of a beautification award from the City].

During his presentation Mr. Conrow provided building and parking specifications regarding his development, "The Park Beyond the Park", which, in his opinion would be appropriate for temporary court facility use.

This speaker's statements regarding statistical information were interrupted by Councilman Mock, who questioned the appropriateness of Council hearing this information at this time.

City Attorney Nelson advised that the material should be received only as background on the general question now facing the Council and that it not be considered as evidence for any future deliberations.

Continuing with his remarks Mr. Conrow interpreted the proposed ordinance as discriminatory and designed specifically to stop him from further negotiations with the County regarding their use of his development.

There followed an explanation by Mayor Geissert and by Planning Director Ferren regarding the base criteria established in the subject ordinance and rationale supporting the City's need to provide standards in the Code relating to court uses in privately owner buildings. Mr. Conrow claimed that parking requirements set forth are "far too strenuous for any private property to meet" and will "hamstring" the entire South Bay. Photographs of parking layouts were then submitted by this speaker for the official record.

At this point, Councilmembers related concerns of the City with regard to court-related parking and stressed the severe problems represented by the current court facility impacting the

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availability of parking on the Civic Center site and the Council's desire that a like problem not be inflicted upon another area of the City.

Councilman Wirth referenced correspondence recently received by the City's Parks and Recreation Director requesting use of a City parking lot [Wilson Park] to assist in the court project. Mr. Wirth expressed his firm opinion that this would be an inappropriate use of City park property and stated that he is greatly alarmed by such a proposal.

Attorney Richard Knickerbocker, 10940 Wilshire Boulevard, speaking on behalf of Mr. Conrow, General Partner in The Park Beyond the Park development, addressed the Council regarding the subject ordinance. Questions and issues raised by Mr. Knickerbocker included...

- validity of the ordinance because of the absence of the public hearing process;
- absence of evidence establishing a state of urgency;
- violation of the constitutional rights of a developer and all other citizens of this community.

Mr. Knickerbocker pointed out that what his client is proposing is to provide for a five-year solution to the serious problem presently facing the courthouse facility.

Ms. Eula Roberts, 404 North Paulina, Redondo Beach, described her recent experience as a juror in the Torrance court facility noting conditions of severe overcrowding. Ms. Roberts urged support of improved facilities.

No one else responded to the Mayor's invitation for audience input and the following motion was offered.

MOTION: Councilman Mock moved to concur with staff's recommendation on Agenda Item 17f. His motion was seconded by Councilman Wirth.

Mayor Geissert then requested that the City Clerk assign a number and read title to...

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URGENCY ORDINANCE

ORDINANCE NO. 3287

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE ADDING SECTION 95.3.44 AND 93.2.41 TO THE TORRANCE MUNICIPAL CODE TO PROVIDE REGULATIONS FOR THE CONSTRUCTION OR USE OF PROPERTY FOR COURT OR COURT RELATED PURPOSES AND DECLARING IT TO BE AN URGENCY MATTER

MOTION: Councilman Nakano moved to adopt Urgency Ordinance No. 3287 at its first and only reading. His motion was seconded by Councilman Mock.

Prior to roll call vote, Councilman Mock responded to certain of Mr. Knickerbocker's statements, noting that City staff has advised that there is no pre-emption problem; that the ordinance is constitutional and is flexible on a case-by-case basis. Further, Mr. Mock pointed out that an urgency exists because the County is considering leasing court space and the City has no controls over those facilities.

Councilman Wirth stated, for the record, that he has served on jury duty at the present court facility and is well aware of the conditions that exist. Mr. Wirth further noted that information that is being given to the public that a move is imminent is incorrect.

Responding to a request by Councilman Walker, City Attorney Nelson affirmed that he is satisfied that this is not pre-empted by State law; further, the City is satisfied that this is a constitutional law and a constitutional procedure that the City Council is now going through.

Roll call vote on the above motion to adopt Ordinance 3287 was unanimously favorable.

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18. SECOND READING ORDINANCES:

18a. ORDINANCE NO. 3286:

ORDINANCE NO. 3286

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 ON EITHER SIDE OF AMAPOLA AVENUE BOUNDED BY SIERRA STREET TO THE NORTH AND THE FIRST ALLEY NORTH OF TORRANCE BOULEVARD TO THE SOUTH FROM R-2 (TWO-FAMILY RESIDENTIAL) TO R-2 (PP) (TWO-FAMILY RESIDENTIAL WITH A PRECISE PLAN OF DEVELOPMENT OVERLAY)
ZC 89-1: CITY OF TORRANCE

MOTION: Councilman Nakano moved to adopt Ordinance No. 3286 at its second and final reading. His motion, seconded by Councilman Walker, carried by unanimous roll call vote.

20. CONSENT CALENDAR:

20a. AWARD OF CONTRACT - For the Sole Source purchase of fourteen (14) self-contained breathing apparatus and twenty-eight (28) composite bottles for the City's Fire Department as replacement items.

Expenditure: \$35,187.60 (including sales tax).

RECOMMENDATION:

The Purchasing Division and the Fire Department recommend that your Honorable Body award a contract for the Sole Source purchase of fourteen (14) self-contained breathing apparatus and twenty-eight (28) additional composite bottles for the City's Fire Department as replacement items from Special T Fire Equipment (sole distributor for MSA). Total expenditure is \$35,187.60.

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20b. AWARD OF CONTRACT - To Furnish the Budgeted Annual Requirements for Periodicals for the Torrance Public Library System for the Calendar Year 1990.

Ref: Bid No. B89-62
Anticipated Expenditure: \$47,700.00 including sales tax.

RECOMMENDATION:

The Purchasing Division and the City Librarian recommend that your Honorable Body award a contract to the lowest responsible bidder, Popular Subscription Service of Terre Haute, Indiana, in an amount not to exceed \$47,700.00 for the purchase of periodical subscriptions for the calendar year 1990.

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

21. ADDENDUM MATTERS:

21a. ADDITIONAL DEVELOPMENT REQUESTS - PARK DEL AMO PROJECT:

Councilman Applegate announced that for reasons of record previously stated, he would abstain from consideration of this matter. Mr. Applegate thereupon departed from the Council Chambers.

Mayor Geissert noted that this addendum matter is for purpose of processing requests for additional development in the Park Del Amo project located in the PD zone between Crenshaw Boulevard, Sepulveda Boulevard, Maple Avenue and Plaza Del Amo.

City Attorney Nelson requested that the Council make a finding, pursuant to Government Code Section 54954.2, that this matter arose after the closing of the agenda for this meeting and accordingly is properly before the Council.

Councilman Walker SO MOVED. His motion was seconded by Councilwoman Hardison and roll call vote was unanimously favorable [Councilman Applegate ABSTAINED].

Staff presentation on this item was provided by Sr. Principal Planner Gibson, who explained that Watt Homes had submitted two separate requests for condominium developments on property originally designated for commercial development in the

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Park Del Amo project, and these submittals were scheduled for Planning Commission consideration on November 15, 1989. Subsequently, Mr. Gibson advised that Transpacific Development Company has indicated their intent to file, in the immediate future, an additional commercial development for Park Del Amo. Mr. Gibson indicated that the residential, as well as the commercial, will require reopening of the Development Agreement.

RECOMMENDATION:

The Planning Department recommends that consideration of the requests from Watt Homes be postponed for Planning Commission and subsequent City Council action so that both the commercial and residential projects may be reviewed concurrently in conjunction with the Development Agreement. This will also allow time to incorporate any relevant standards which are developed as part of the Gated Community Study.

In response to concerns and comments voiced by members of Council, Mr. Gibson acknowledged the complexity of this issue and addressed the delay represented for the Watt project per the above staff recommendation; discussed related procedural issues; and touched upon the concerns of staff regarding the need to reopen and amend the Development Agreement for the Park Del Amo project.

Some serious Council concerns were voiced regarding staff's recommendation to delay processing of the Watt project. The matter was discussed at some length, following which Mayor Geissert invited audience input.

Mr. Larry Schmidt, 2716 Ocean Park Boulevard, Santa Monica, introduced Mr. Brian Weber, formerly a representative of Santa Fe, now representing Guilford Glazer.

Mr. Schmidt strongly urged that there be no delay of the Watt applications, particularly in light of the fact that no formal application for a commercial project has been filed with the City. It was pointed out by this speaker that Watt Homes has not been a partner in the Torrance Investment Company for several years and, in his opinion, should be treated as a separate entity.

Based on the fact that Transpacific has only had very tentative plans and those plans are not, at this point, known by the City, Councilman Mock expressed his opinion that the Watt Homes project should go forward through the planning process, and he SO MOVED. His motion was seconded by Councilman Wirth.

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As discussion developed relative to the intent of the motion, Planning Director Ferren requested that the November 15 date for hearing before the Planning Commission remain flexible for procedural reasons.

Councilman Mock affirmed that it is the intent of his motion that the Watt Homes project not be postponed at this stage and that it be considered as a separate proposal.

Representing Transpacific Development Company, 2377 Crenshaw Boulevard, Mr. Colm Macken advised of Transpacific's intent to file an application within the next two days and noted that it is not their desire to delay the Watt proposal. It was acknowledged by Mr. Macken that the Development Agreement will have to be reopened and any change thereto will require the signatures of the partners.

Councilwoman Hardison pointed out the complexities involved in considering residential developments and a commercial project which may not be in sync with one another and which must be tied into one Development Agreement. This Councilmember stated that, while she will support the motion on the floor at this time, she would like further information as the projects go forward in order to assist in determining future action.

As discussion continued, City Manager Jackson advised that, in all probability, these projects will have to come together at the City Council level for consideration with the Development Agreement, thus there is the possibility for delay of the Watt project at that time.

Councilman Mock reiterated that his motion only dealt with the Watt project going forward in the planning process. As that is accomplished and the Transpacific matter is also processed, the City Council "could change its mind in terms of the delaying of the process," per Mr. Mock.

City Attorney Nelson affirmed that the motion on the floor does not commit the Council to anything that will foreclose taking action in the future to merge the considerations if it is necessary to do so.

Next to speak from the audience was Mr. Brian Weber, 1901 Avenue of the Stars, Los Angeles,, who pointed out the past practice of utilizing an incremental approach to the various projects within the development, the only thing different in this case being that an amendment to the Development Agreement is required.

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Mr. Weber stated that since the Watt Homes proposal is "first in the door" with their application, it is fully recognized that, if approved, they may dictate certain requirements as far as any additional commercial development is concerned.

Mayor Geissert requested, once again, a verification that proceeding through the planning process with the Watt project will not prejudice the Council's ability to bring the two proposals [Watt and Transpacific] together at the Council level and to open the Development Agreement. City Attorney Nelson affirmed that the advice from his office has consistently been that the Development Agreement can be amended.

Relative to a question raised by the Mayor, the City Attorney indicated that his office will further study the Agreement with regard to the commercial portion. Planning Director Ferren pointed out that, based upon a preliminary plan seen by his office, the Development Agreement could be opened because of proposed subterranean parking and possible encroachment on the Crenshaw Boulevard setback.

At this point, Councilman Nakano noted that he lives across the street from the particular area being discussed and he inquired regarding his need to abstain on this matter. City Attorney Nelson responded affirmatively.

Roll call vote on Councilman Mock's motion proved unanimously favorable [Councilmen Applegate and Nakano ABSTAINED].

Councilman Applegate returned to the Chambers at this time.

* * *

At 10:15 p.m., the City Council recessed and met as the Redevelopment Agency of the City of Torrance. The meeting of the Redevelopment Agency was adjourned at 10:16 p.m. and the regular Council order of business was resumed.

* * *

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22. ORAL COMMUNICATIONS:

22a. City Manager Jackson commended Building and Safety Director Grippo and members of his staff for their assistance in the San Francisco Bay area following the recent devastating earthquake in that vicinity.

22b. Councilwoman Hardison requested updated information regarding the history of traffic accidents at the Cabrillo/Sepulveda intersection and inquired regarding the possibility of expediting work at this location through the City's action plan. Director of Transportation Horkay indicated that he will follow through on this request.

22c. Councilman Mock noted receipt of numerous calls regarding potential development on the El Camino College site. Mr. Mock clarified [confirmed by Planning Director Ferren] that any development on that site would proceed through the City's normal review process and would require City approval.

22d. Councilman Nakano requested a staff investigation of the adequacy of truck safety ramps on Crenshaw and Hawthorne Boulevards. Director of Transportation Horkay indicated that his department will investigate the matter.

22e. Councilman Nakano requested statistics regarding any experimental aircraft which might be based at the Torrance Airport. Staff to follow through.

22f. Councilman Wirth noted the success of the recent "Red Ribbon Week", particularly as it pertained to the Arnold Elementary School.

23. EXECUTIVE SESSION:

23a. 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:

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- Salaries, salary schedules and compensation for certain unrepresented employees and represented employee groups as well as certain other personnel matters;
- Pending litigation entitled John Rastello, et al., vs. Rollo Green, et al., Los Angeles Superior Court Case No. SWC 74882;
- Pending litigation entitled People of the State of California vs. Mobil Oil Corporation, et al., Los Angeles Superior Court Case No. C 719953;
- Pending litigation entitled California Aviation Council et al., vs. Torrance City Council, et al., Los Angeles Superior Court;
- Pending litigation entitled Qualified Investment Planners, Inc. vs. The City of Torrance, et al., Los Angeles Superior Court Case No. SWC 97607;
- Pending litigation Art Ignacio, et al., vs. The City of Torrance, et al., Los Angeles Superior Court Case No. SWC 95398; and
- Review and discussion of options regarding termination of the Roger Keeney lease.

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

At 10:25 p.m., the City Council recessed to executive session for the above stated purposes, returning at 11:25 p.m. No action was required as a result of the executive session.

24. ADJOURNMENT:

At 11:25 p.m., this meeting of the City Council was formally adjourned to Tuesday, November 7, 1989, 5:30 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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