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Torrance City Council - November 21, 1989

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Valerie Whippie
Minute Secretary

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NOVEMBER 21, 1989

MINUTES OF A REGULAR MEETING
OF THE TORRANCE CITY COUNCIL

OPENING CEREMONIES:

1. CALL TO ORDER:

The Torrance City Council convened in a regular meeting on Tuesday, November 21, 1989, at 5:40 PM, in the Council Chambers of 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.

Mayor Geissert announced with sadness the passing of **Mr. Robert Abrams**, President of Major Paint Company, a subsidiary of Standard Brands Paint Company. The Mayor requested that this meeting be adjourned in his memory.

3. FLAG SALUTE/INVOCATION:

Mr. Fred Casstevens led in the salute to the Flag.

The invocation for the meeting was provided by Father Patrick McHugh, Nativity Catholic Church.

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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 October 10, 1989 as recorded. The motion was seconded by Councilman Mock and roll call vote was unanimously favorable.

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. The motion was seconded by Councilman Mock, 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 Councilwoman Hardison, carried with unanimous approval following roll call vote.

6. WITHDRAWN OR DEFERRED ITEMS:

City Manager Jackson announced the following requested agenda changes:

Item 8e - RESOLUTION OF COMMENDATION - WITHDRAWN.

Item 16a - APPEAL OF LICENSE REVIEW BOARD DECISION
BY IRENE HATATE CONCERNING PERMANENT MAKEUP
- Deferred to December 5, 1989.

7. COUNCIL COMMITTEE MEETINGS:

Ad Hoc Armed Forces Day Committee

Met this date.

Subject: 1990 Armed Forces Day Parade.

Ad Hoc Legislative Committee

Date: November 22, 1989, 4:30 PM, Council
Conference Room.

Subject: Ballot Measure.

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Transportation Committee

Date: December 12, 1989, 6:00 PM, Council
Conference Room.
Subject: Torrance Boulevard Study.

Public Safety Committee

Date: December 13, 1989, 4:30 PM, Third
Floor Assembly Room
Subject: Acutely Hazardous Materials.

8. COMMUNITY MATTERS:

8a. RECOGNITION OF AYSO CENTRAL TORRANCE BOYS DIVISION TWO,
AREA F AND SECTION I ALL-STAR CHAMPIONS

Mayor Geissert presented a team plaque to Head Coach
Bill Koepf and Assistant Coach Terry Whippie.

Individual letters of recognition were presented to
team members as follows:

Anthony Brissinger
Steve Carroll
Jeff Koepf
Mike Koepf
Chris Laurens
Scott Megaw
Spencer Mercer
Garric Miyake
Jason Pettit
Ryan Rountree
Jim Scott
Frank Szick
Keith Whippie

8b. PROCLAMATION DECLARING NOVEMBER 27 THROUGH DECEMBER 23
AS "TOYS FOR TOTS MONTH"

So proclaimed by Mayor Geissert and gratefully accepted
by Gunnery Sergeant Trusk of the U.S. Marine Corps Reserve.

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8c. RESOLUTION HONORING STANLEY GREEN

RESOLUTION NO. 89-262

A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF TORRANCE HONORING PEST CONTROL APPLICATOR
STANLEY GREEN
FOR HIS DEDICATION, PROFESSIONALISM AND
CONTRIBUTIONS TO THE CITY OF TORRANCE
THROUGHOUT HIS TWENTY-FOUR YEARS OF SERVICE

MOTION: Councilman Nakano moved to adopt Resolution
No. 89-262. The motion was seconded by Councilwoman Hardison and
carried, with roll call vote reflecting unanimous approval.

8d. WAIVER OF CITY FEES FOR MAGNAVOX EARTHQUAKE FUND
RAISING EVENT

RECOMMENDATION

It is recommended that Your Honorable Body waive the
City fees applicable to the Magnavox Earthquake Fund
Raising Event on December 9, 1989, except for the
safety inspection fees of the Building and Safety
Department.

MOTION: Councilman Wirth moved to concur with the
above stated recommendation of the City Manager. The motion was
seconded by Councilwoman Hardison.

Magnavox representative Susan Anderson, 2829 Maricopa
Street, expressed her gratitude on behalf of Magnavox and the
American Red Cross for City support re this worthy endeavor. She
subsequently discussed highlights of the upcoming Earthquake Fund
Raising Event and extended a warm welcome to all present.

Roll call vote on the above motion proved unanimously
favorable.

8e. RESOLUTION OF COMMENDATION

Withdrawn; see page 2.

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9. LIBRARY/PARKS AND RECREATION MATTERS:

9a. PRESENTATION BY LOS ANGELES COUNTY DEPARTMENT OF
BEACHES AND HARBORS REGARDING TORRANCE BEACH
IMPROVEMENTS

RECOMMENDATION

It is the recommendation of the Parks and Recreation Director that Council receive clarification from staff representing the County of Los Angeles Department of Beaches and Harbors concerning the proposal. It is further recommended that the Council take this opportunity to share its individual and/or collective views regarding the County's plans for improvements at Torrance Beach.

Representing the County of Los Angeles Department of Beaches and Harbors, Mr. Gregory Woodell, 13837 Fiji Way, Marina Del Rey, presented the history and nature of the County's Beach Facility Refurbishment Program. Mr. Woodell introduced Mr. Steve O'Neill, a consultant involved in the construction and/or refurbishment of beach facilities, and Mr. Wayne Schumaker, Chief of Safety and Sanitation.

Project Manager, Mr. Steve O'Neill, utilizing overviews and assisted by Mr. Woodell, provided a presentation of planned improvements for the Torrance Beach, including access for persons with disabilities; view piers; renovation of existing Lifeguard/Public restroom facility; construction of new vehicular access ramp; and construction of a small concession stand and patio area.

Concerns expressed by the Council included those related to the placement of the concession stand directly below Miramar Park resulting in potential litter and cooking odor problems; commercialization of the area; effective control of beach access after hours; and effective parking accommodations to preclude impacts to nearby residential uses.

Generally supporting improvements to Torrance Beach, as proposed, the following speakers registered their individual objections and concerns as they related to the prospect of a concession stand; management of parking; commercialization of the area; increased traffic; increased noise and debris:

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Mr. Bill Cunningham, 201 Calle Miramar, President,
Torrance Beach Improvement Association.
Ms. Mary Warnacut, 332 Paseo de la Playa.
Mr. Bob Warnacut, 332 Paseo de la Playa.
Mr. Dick Yaki, 163 Paseo de la Concha.
Ms. Inez McGee, 431 Camino de Encanto, who commended
those responsible for keeping the beach clean.

Mr. Woodell responded to inquiries affirming that the planned improvements are slated over a five-year period and are contingent upon the availability of funding. He clarified that the first phase of the program would include access for persons with disabilities and most likely the very last phase would include a concession facility. Councilman Wirth then noted that the public would have ample opportunity to provide input along the way.

Reviewing the history and rationale for implementing paid parking at the Beach, while noting that several comments had been made regarding reduced parking fees, Councilman Applegate cautioned that this matter be given careful consideration.

During discussion staff pointed out that this presentation was preliminary in nature and that during the program's development, it was likely that various issues would be reviewed by the Parks and Recreation Commission after which Mayor Geissert stressed the importance of maintaining a balance between preserving the residential character of the area and, at the same time, making the recreational access available to the public.

County representatives were thanked for their input after which the following was offered:

MOTION: Councilman Applegate moved to concur with the plan submitted to the Council by the County this date, excluding the snack bar. The motion was seconded by Councilwoman Hardison and carried, with roll call vote reflecting unanimous approval.

County representatives agreed to leave a copy of the plan with Parks and Recreation staff for review by interested parties.

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9b. RECOMMENDATIONS RE MADRONA MARSH PERIMETER FENCING AND PEDESTRIAN CROSSING

RECOMMENDATION

The Parks and Recreation Commission and the Parks and Recreation Director are recommending that the City Council approve the installation of a black tubular steel fence [wrought iron] around the perimeter of the Madrona Marsh rather than the originally proposed material of a brown vinyl-clad chain-link fence.

It is also recommended by the Parks and Recreation Director and the Parks and Recreation Commission that an at-grade pedestrian crossing be installed directly south of the triangular parcel north of the Marsh, including modifications to the Plaza Del Amo median to provide for vehicular ingress and egress to the interpretive center parking lot and the installation of a pedestrian-activated signal.

Parks and Recreation Director Barnett summarized staff report including the positions of the Parks and Recreation Commission and the Parks and Recreation Director relating to the perimeter fencing and at-grade pedestrian crossing [reflected above]. Mr. Barnett also discussed the position of the Traffic Commission re the at-grade crossing.

"The Traffic Commission voted against the at-grade crossing, and concurred that the access to the interpretive center be limited to a right-turn-only from Plaza Del Amo. The motion to enforce the speed limit by radar was also approved by the Traffic Commission with opposition to a 25 m.p.h. speed limit."

If the City Council concurs with the installation of an at-grade crossing for pedestrian access to the Marsh, the Transportation Department is recommending:

1. That a painted crosswalk be provided from one side of Plaza Del Amo to the other with appropriate signs, curb cuts, ramps, etc.
2. That a vehicle opening in the median be provided to allow left turns into and out of the interpretive center parking lot rather than have vehicles leaving the site by way of Monterey Street.

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3. That no group crossings be conducted during peak traffic hours or nighttime hours.
4. That all docents receive crossing guard training and equipment.
5. That installation of the signal be deferred at the present time.

Staff responded to inquiries regarding costs associated with signalization; appropriation of funding for Madrona Marsh improvements; coordination with TIC; and conceptual plans for the interpretive center.

Friends of Madrona Marsh President, Ms. Adrian Fraley, read the organization's letter of November 22, 1989. Addressing the Friends' letter, specifically points germane to the subject matter, staff clarified that the proposed perimeter fence height of 7-1/2 feet is recommended in the interest of providing security and guarding against potential liability, without the use of barbed wire.

The sidewalk/bike path was discussed in detail it being noted by staff that red patterned concrete is proposed as a safety issue to help delineate the bike path and pedestrian way.

The City Manager commented that while there have been delays, the developer has worked closely with the City throughout the design process to ensure mutual satisfaction.

Ms. Georgean Griswold, 244 Avenida Atezada, discussed the need for a portable toilet as well as a simple water fountain. Staff indicated its concurrence with this request.

Mrs. Mary Dean, 3210 Merrill Drive, raised several inquiries about the project and after discussion it was agreed that staff would arrange a meeting with Mrs. Dean and her neighbors to clarify specifics about the the overall proposal.

Ms. Shirley Turner, 23216 Juniper Avenue, submitted a photograph depicting an example of red patterned concrete which she maintained is not aesthetically pleasing with the passage of time. She also addressed traffic safety issues in and around the

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area of the Goodyear Tire Center on Del Amo Circle East. Councilwoman Hardison urged that staff pursue this issue.

While understanding the position of the Traffic Commission and the Director of Transportation that the pedestrian crossing would break the flow of traffic, Councilman Wirth felt the proposed crossing necessary and offered the following:

MOTION: Councilman Wirth moved to concur with the above stated recommendation of the Parks and Recreation Commission/Director, including Recommendations 1 through 4 of the Transportation Department. The motion was seconded by Councilman Mock.

The Director of Transportation clarified that were the Council to support the proposed recommendation, the Department was recommending full service signalization as opposed to a pedestrian-activated signal.

Concerned about safety issues, Councilman Walker concurred with the position of the Transportation Department feeling that the existing signalized intersection at Maple and Plaza Del Amo is adequate to carry visitors to the Madrona Marsh and the proposed Interpretative Center at this time. He favored ultimate installation of an overcross.

Councilman Applegate also favored an overcross however noted that the cost to the City is prohibitive at this point, precluding it as a consideration. He stated that he felt installation of a midblock pedestrian crossing at this location would create a false sense of security.

During discussion cost factors involved with the installation of an aesthetically pleasing overcross were examined as was an estimate of costs associated with the installation of full service signalization at the subject location. Cognizant staff members addressed inquiries.

Councilwoman Hardison reported that she views implementation of a pedestrian crossing at this location as "a safe way to cross people" at this time and that on the occasions she has traversed Plaza Del Amo between Maple and Madrona she has observed minimal traffic flow.

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Mayor Geissert stressed the importance of moving forward with proposed improvements stating that she had a reasonable level of comfort with the recommendation. She subsequently called for roll call on the above motion which carried by way of the following vote:

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

Noes: Councilmembers Applegate and Walker.

At 7:40 PM the City Council recessed, reconvening at 8:00 PM.

9c. ACCEPTANCE OF THE FINAL ARCHITECTURAL WORKING DRAWINGS FOR THE TORRANCE CULTURAL ARTS CENTER

RECOMMENDATION

The City Manager recommends that the City Council accept the final working drawings prepared by Liebhardt Weston and Associates for the Torrance Cultural Arts Center and authorize the release of the drawings for public bid.

Presentation was provided by Management Programs Administrator Tilden who summarized Staff report. Manager of the Torrance Cultural Arts Center Stewart provided specifics about the design of the Center. Representatives of the architectural firm of Liebhardt Weston and Associates were present to address inquiries.

Expressing general displeasure with the size of the theater seats, Councilman Walker raised several inquiries which were addressed by the theater consultant [Mr. Landry]. The consultant explained that the different seat widths permitted the developer to stagger seats to enhance viewing. Cognizant staff members assisted in the clarification after which Mr. Walker reiterated his position.

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Councilwoman Hardison stated that she was elated the project is proceeding, and Councilman Wirth requested that staff explore the development of standards relative to the use of the Center. He then offered the following:

MOTION: Councilman Wirth moved to concur with the above stated recommendation of the City Manager. The motion was seconded by Councilman Mock and carried, with roll call vote reflecting unanimous approval.

10. TRANSPORTATION/PUBLIC WORKS MATTERS:

10a. AGREEMENT FOR PROFESSIONAL DESIGN AND CONSTRUCTION SERVICES FOR THE TORRANCE BOULEVARD STREET LIGHT IMPROVEMENT PROJECT AND THE SKYPARK/MADISON STREET LIGHT IMPROVEMENT PROJECT

RECOMMENDATION

The Department of Transportation recommends that your Honorable Body adopt the resolution to enter into an agreement with DGA Consultants, Inc. for design and construction services for an amount not to exceed \$77,834.00.

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

RESOLUTION NO. 89-263

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, ENTERING INTO AN AGREEMENT WITH DGA CONSULTANTS, INC. FOR PROFESSIONAL DESIGN AND CONSTRUCTION SERVICES FOR THE TORRANCE BOULEVARD STREET LIGHT IMPROVEMENT PROJECT AND THE SKYPARK/MADISON STREET LIGHT IMPROVEMENT PROJECT

MOTION: Councilman Nakano moved to adopt Resolution No. 89-263. The motion was seconded by Councilman Walker and carried, with roll call vote reflecting unanimous approval.

The City Engineer provided a status report of related effort for Carson Street in response to an inquiry from Councilman Nakano.

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10b. IMPLEMENTATION OF A RESIDENTIAL CURBSIDE RECYCLING PROGRAM IN TORRANCE

RECOMMENDATION

The City Manager and the Street Department Superintendent recommend that your Honorable Body: (1) direct staff to implement a limited residential recycling program in Torrance within the next six months using City forces under Option 2; (2) appropriate \$96,000 from the Capital Budget for the initial limited collection.

The funding operation and assessment of the initial program, which would service five pilot areas of 800 homes each, would provide staff with valuable information pertaining to residential participation and long-term budgeting of this recyclables collection.

Staff presentation was provided by Administrative Analyst Hentabli, who set forth the following options for Council consideration:

Option 1

Establish a public education and information campaign regarding recycling and its environmental benefits.

Option 2

Implement a voluntary residential recycling program using the commingled recyclable materials approach, including a public awareness program (Option 1).

Option 3

Implement a voluntary residential recycling program using the three stackable containers approach, including a public awareness program (Option 1).

Mr. Hentabli noted that two local haulers, Western Waste Recycling and Browning-Ferris Industries [BFI] Waste Systems (letters of record dated November 6, 1989 and November 21, 1989 respectively) had expressed their willingness to conduct the pilot program for the City free-of-charge. He reported, however, that staff feels it is necessary that the pilot program be conducted and assessed by City staff to acquire the necessary data for City-wide implementation.

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During discussion cognizant staff members clarified details of proposed Option 2, including cost estimates for the pilot program as well as a full-scale program [ref. Attachment E - COST BREAKDOWN OF RECYCLING OPTIONS, of record.]

In response to Councilman Walker's inquiry about utilization of the private trash haulers who offered their services free of charge the City Manager explained that in order to arrive at a decision regarding the City's capability to conduct a full-scale recycling program, it was deemed beneficial to have the City conduct the pilot program thereby gaining valuable information for future utilization.

Councilman Walker expressed his personal desire that any recycling program adopted by the City be as convenient as possible for the public, and during discussion in this regard, Street Superintendent Garcia reiterated that certain goals in reducing waste (identified during staff presentation) must be reached by State mandate.

Consideration returned to cost breakdowns for the Option 2 pilot program (Attachment E) with attention focusing on the educational aspects of the recycling process. Staff addressed the concepts of education through cable television, newspapers, door hangars, and incentives as tools to enhance public awareness.

Councilwoman Hardison stated that she felt the City had no choice but to comply with the State mandate to reduce waste through the recycling process and cited potential ramifications involved in not doing so. She voiced her support for proposed Option 2, stating that valuable information could be derived by performing the pilot program in-house.

After having carefully separated recyclable materials for some time, Mayor Geissert stated that her only reservation regarding proposed Option 2 involved the commingling of recyclable materials. After her comment about the cost of the educational program, City Manager Jackson clarified that the figure reflected for the Education Program was not exclusive to the pilot program but reflects the amount anticipated for a general education campaign toward recycling in the community at large, effective immediately.

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The City Manager noted the need to consider voluntary programs to promote recycling as a concept throughout the community, after which Mayor Geissert suggested the establishment of a community advisory group comprised of representatives from various organizations in the area [homeowners groups, representatives of the schools, etc.] to generate ideas and disseminate information. Feeling the costs associated with the outreach program could be defrayed through citizen effort and school involvement, Mayor Geissert also stressed the importance of incentives to make a recycling program successful.

Street Superintendent Garcia addressed inquiries posed by Councilman Mock, who referenced a conference on recycling he attended and indicated a preference for proposed Option 3, feeling it to be a more effective approach to the recycling process. Other information requested by Mr. Mock included details pertaining to the anticipated percentage of public participation under a voluntary City-wide program [addressed by Mr. Garcia], and the potential for fee increases to refuse customers to assist in mitigating the ongoing cost of a future City-wide program, with the City Manager again addressing cost estimates reflected in Attachment E.

Responding to Councilman Wirth, staff provided information pertaining to a comparative study of different community recycling programs; pros and cons of utilizing a private hauler; the potential for composting; cost factors associated with the recycling process; and the ultimate possibility of restricting quantities of trash or charging for excess trash. Mr. Wirth stressed the importance of establishing meaningful incentives.

Audience input was invited by the Mayor and Ms. Juanita Schaeffer, President Torrance League of Women Voters, 1632 Torrance Boulevard, read a prepared statement urging action to thwart the impending trash crisis. She noted that the League enthusiastically supports the adoption of recycling programs in the City, recommending the adoption of either proposed Options 2 or 3, and stated that the League eagerly awaits participation in a community advisory council re this urgent matter.

Ms. Pam Popovich, 421 Camino de Encanto, stated that she felt there would be a great deal of community support for a curbside recycling program, supporting either proposed Option 2 or Option 3. She stressed that public participation and education are vital to the success of the program.

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Pointing out a need to get the recycling message into the schools perhaps through the utilization of a "recycling creature", Ms. Sandi Monda, 21506 Talisman, also noted that she felt most homeowner associations in the area would gladly participate in a community awareness program.

She suggested that the problem of scavenging of materials in the City be explored prior to the implementation of a pilot program and raised several inquiries, all addressed by cognizant staff members, as to why the City was not accepting either of the two offers made by private haulers.

The figure for the Education Program reflected under all the Options was again addressed by the City Manager who reiterated that the figure reflects the estimated cost associated with a general education campaign regarding recycling and its environmental benefits.

Councilwoman Hardison suggested that the estimate for the Education Program might have been addressed separately for purposes of clarity and indicated her support of the use of a "recycling character" to appeal to school children.

Councilman Applegate, noting monies the City would be expending [Education Program and Coordinator position] regardless of whether or not the program was conducted in-house indicated his preference for conducting an internal pilot program. During such time he requested that a comprehensive evaluation be made to include data pertaining to costs associated with using a private hauler [to include safeguards against price hiking] for recycling services vs. a City-run program.

Councilman Applegate stressed the importance of an orderly appearance with a residential recycling program, cautioning against the use of too many containers. He suggested that educating the public that it needs to reduce its trash volume warrants serious consideration. He then offered the following:

MOTION: Councilman Applegate moved to concur with the above stated recommendation of the Street Department. The motion was seconded by Councilwoman Hardison.

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Councilman Walker stated that he felt there was a cost savings to be realized by utilizing either of the outside contractors who offered their services. He indicated at the very least he would have preferred having staff consult with either or both of the parties to determine the best avenue for the City to pursue in terms of costs and services provided.

Councilman Wirth indicated that he would be supporting the motion on the floor with the understanding that staff would be exploring matters raised tonight, including exploration of significant incentives, consideration of recycling centers to encourage participation for residents outside recycling areas and the establishment of an advisory committee.

The motion for adoption of Option 2, as recommended by staff carried, with roll call vote reflecting the following:

Ayes: Councilmembers Applegate, Hardison, Nakano, Wirth, Mayor Geissert.

Noes: Councilmembers Mock, Walker.

In response to the Mayor, Street Superintendent Garcia indicated that staff would be working with the Council to formulate a list of members of the community who would be willing to serve on an advisory committee regarding this important matter.

11. POLICE AND FIRE MATTERS:

11a. REIMBURSEMENT COSTS ASSOCIATED WITH UHF PETITION EFFORT

RECOMMENDATION

It is the recommendation of the Police Department that your Honorable Body approve the disbursement of Asset Forfeiture Funds in the amount of \$64,877.54 to reimburse the City of Glendale for charges associated with the successful FCC petition for the allocation of UHF spectrum to the Cities of Glendale, Torrance, Burbank, Whittier and Compton.

MOTION: Councilman Applegate moved to concur with the above stated recommendation of the Police Department. The motion was seconded by Councilman Walker.

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Prior to roll call vote Councilman Applegate requested that a letter be prepared thanking the City of Glendale for its initiative re this matter.

After staff indicated concurrence, roll call vote on the above motion proved unanimously favorable.

15. HEARINGS:

15a. PP 89-7, W 89-28, LOUIS AND CATHY CONSTANTINE

Mayor Geissert announced that this was the time and place for City Council consideration of an appeal by a neighbor of a Planning Commission approval of a Precise Plan of Development and a Waiver to allow the construction of a new three-level residence exceeding the maximum building height on property located in the Hillside Overlay District in the R-1 zone at 3822 Bluff Street. PP 89-7, W 89-28: LOUIS AND CATHY CONSTANTINE.

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

Staff presentation was provided by Sr. Principal Planner Gibson who noted that the Planning Commission (by a 5-2 vote) and the Planning Department recommend denial of the appeal and approval of the project. Mr. Gibson identified all setbacks and affirmed that while there may be view impairment from the side windows and the pool area of an existing home to the east [3820 Bluff Street,] given the topography and residence orientation, a single-level residence could also impair views.

The designer of the project, Mr. Jack Wood, 200 Pier Avenue, Suite 38, Hermosa Beach, provided details of the proposal and its relation to adjacent property as well as the applicants' attempts to accommodate the appellant's view.

Applicant Louis Constantine, 2112 Bridgeport Way, submitted photographs depicting homes in the immediate area; a copy of the Code Section relating to building height in effect at the time his plans were submitted (prior to ordinance reducing height in R-1 zone); and a letter from Broker Gordon Elliott dated October 6, 1989, stipulating that there were no plans for construction at the time of property purchase.

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Mr. Constantine addressed the design of the project and efforts to mitigate any potential impacts it might incur while complying with the standards of the City.

Mrs. Cathy Constantine, 2112 Bridgeport Way, discussed her family's need for the proposed construction and further addressed the design, including efforts to minimize view and privacy impacts. She noted its similarity to other homes in the immediate area, also stating that several unsuccessful attempts to meet with the appellants had been made with the first and only meeting occurring yesterday. Planning staff was thanked for its efforts to mediate between the two parties. (The Constantine's later submitted a list of nearby homes and their sizes in response to a request by Councilwoman Hardison.)

Appellant Gary Dean, 3820 Bluff Street, disputed comments made by the proponents, with respect to potential view loss from his property; shadowing effects; and meetings between himself and the proponents. He expressed concern about the massive size of the project and its potential impact to the window areas of his home facing a westerly view as well as the pool area.

Mr. Dean listed supporters of record as well as opponents to the project referring to letters included in material of record. He submitted an additional letter of protest from Joanne Hoffman, 3831 Bluff Street, dated November 21, 1989.

In response to Councilman Applegate, Sr. Principal Planner Gibson affirmed that there was a great deal of difficulty involved in attempting to arrange a meeting between the applicants and the appellants, in spite of repeated attempts to do so by the applicants. The first and only meeting, held November 20, was primarily non-productive per Mr. Gibson.

Mr. Constantine returned to submit additional photos and note that Messrs. Mike Chang and Joe Fang, previously opposed to the project, have since signed the support petition.

Supporters of the project included neighbors Mike Pickarts, 3824 Bluff Street, and Phil Tamoush, 3827 Bluff Street, each of whom had previously submitted letters [of record] and each of whom responded to inquiries regarding their own respective residential construction.

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Opponent Dr. Gwen Dean, 3820 Bluff Street, maintained that there was no effort to contact her until the silhouette was erected and that she felt that the silhouette was deceptive in that it does not reflect the proposed railing. She suggested that moving the project back an additional five feet would enhance her situation in terms of potential view impairment.

It was moved by Councilman Applegate that the hearing be closed. This motion was seconded by Councilman Mock and roll call vote proved unanimously favorable.

In response to concerns expressed by Councilwoman Hardison, modifications to the design in the interest of mitigating view impairment to the Dean's were explored by staff. It was ultimately expressed by Councilman Applegate that a major redesign at this stage would be unfair to the applicants.

After clarification from staff, Mr. Applegate noted the staggering setback effect in the area and stated that he felt the proposed setback was rather generous as compared to the position of the Dean residence. He added that while the City has adopted new standards, the project complies with standards in effect at the time the plans were submitted. He further noted the applicants' willingness to compromise, as well as their attempts to reconcile the situation with their neighbors, the Dean's. The following was then offered:

MOTION: Councilman Applegate moved for denial of the appeal and approval of the project, concurring with the positions of the Planning Commission and the Planning Department. The motion was seconded by Councilman Walker and ultimately carried; see below.

Individual Councilmembers generally felt that the project was compatible with other homes in the area; that the design causes minimal view impairment due in great part to effort extended by the applicants; that while large, the house has been designed in a tasteful manner; and that a major redesign would be unfair to the proponents at this point in time.

Roll call vote taken on the above motion proved unanimously favorable.

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RESOLUTION NO. 89-264

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 NEW THREE-LEVEL RESIDENCE ON PROPERTY LOCATED IN THE HILLSIDE OVERLAY DISTRICT IN THE R-1 ZONE AT 3822 BLUFF STREET
PP 89-7: LOUIS AND CATHY CONSTANTINE

MOTION: Councilman Nakano moved to adopt Resolution No. 89-264. The motion was seconded by Councilman Walker and carried, with roll call vote reflecting unanimous approval.

At 10:55 PM the City Council recessed, reconvening at 11:25 PM.

15b. EA 89-13, (CUP 89-49), MOBIL OIL CORPORATION:

Mayor Geissert announced that this was the time and place for City Council consideration of a Councilmember appeal of the determination of the Environmental Review Board (ERB) that a Negative Declaration be issued for an Environmental Assessment regarding proposed instrumentation and control operation facilities on property located in the M-2 zone at 3700 West 190th Street. EA 89-13, (CUP 89-49): MOBIL OIL CORPORATION.

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

During his brief staff presentation on this agenda item Senior Principal Planner Gibson noted that the Environmental Review Board recommends the issuance of a Negative Declaration; Staff recommends that an Environmental Impact Report [EIR] be prepared to provide information on the current refinery operations, as well as potential cumulative impacts from probable future projects on the refinery operation as a whole.

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In response to an inquiry by Councilman Nakano, Mr. Gibson outlined the proposed use of the building, a percentage of which he stated to be an improved working environment for employees. Mr. Nakano also raised a question regarding a possible relationship between this structure and an application for increased pipeline size [this subject was addressed later by Mobil's representative [see below].

Present to represent Mobil Oil was Mr. Dale Neal, Attorney with Latham & Watkins, 555 South Flower Street, Los Angeles. In his review of this appeal Attorney Neal stated that the record demonstrates no substantial evidence that the project will have a potential effect on the environment, a conclusion which he pointed out is supported by the independent consultant retained by the City. Concurrence with the decision of the Environmental Review Board was urged.

Mr. Richard Halpen with the architectural firm of Albert C. Martin and Associates, 811 West 7th Street, Los Angeles, described, with the aid of slides, architectural features and functional design aspects of the project. This speaker advised that there is no environmental damaging substance being used in this building.

Attorney Neal returned to the podium to respond to Council questions, first referencing Councilman Nakano's earlier voiced concerns by stating that the subject project would not increase the capacity of the refinery at all. He further advised that, should this proposed structure not be built, the modernization will take place in the existing structure which will be less efficient and more disruptive.

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

During the brief discussion which followed it was generally conceded that, although there exist ongoing concerns in the minds of members of the Council, positive aspects relate to the subject proposal. The following motion was then offered.

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MOTION: Councilman Applegate moved to deny the appeal on EA 89-13, (CUP 89-49), MOBIL OIL CORPORATION, and concur with the decision of the Environmental Review Board for the issuance of a Negative Declaration. His motion was seconded by Councilman Mock.

Prior to roll call vote Councilwoman Hardison strongly voiced her frustration in not being able to "get the broad picture" of improvements anticipated by Mobil. Mrs. Hardison expressed her opinion that the City of Torrance has a right to ask Mobil to provide a general idea of what they are proposing to improve safety at the refinery.

Mayor Geissert stated that, although justification was not present in the material received for requiring an EIR, she would deem it logical to think that a major corporation such as Mobil would have an overall Master Plan for upgrading the refinery.

Roll call vote on Councilman Applegate's motion to concur with the ERB decision was unanimously favorable.

16. APPEALS:

16a. HELD - see Page 2.

17. ADMINISTRATIVE MATTERS:

17a. FIRST QUARTER BUDGET REVIEW:

RECOMMENDATION:

It is the recommendation of the Council Finance Committee that the Council as a whole accept the first quarter budget review and also concur in the following budget actions:

- o Designate \$2,760,335 of unallocated carryover from fiscal year 1988-89 for capital improvements and direct staff to return with a proposed capital budget for the appropriation of these funds to specific projects.

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- o Designate \$500,000 of unallocated carryover from fiscal year 1988-89 as a reserve for potential future mid-year health care premium adjustments.
- o Appropriate \$500,000 from unallocated carryover from fiscal year 1988-89 for continuing Mobil Oil litigation.
- o Appropriate \$250,000 from unallocated carryover from fiscal year 1988-89 for payback to the Parks and Recreation Facilities Fund.
- o Appropriate \$89,665 from unallocated carryover from fiscal year 1988-89 for Police jail cell refurbishment.
- o Appropriate \$250,000 from the Reserve for Self Insurance for costs stemming from litigation.
- o Concur with the personnel upgrades and classifications as set forth in the report to effectuate the Transportation Department reorganization.
- o Concur in the transfer of the Steno Clerk position from the Airport Division of the Transportation Department to the Environmental Division of the Building and Safety Department.

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

20. CONSENT CALENDAR:

20a. COUNCIL AWARD OF CONTRACT - Re: Purchase of Six (6) New 1989 Kawasaki Motorcycles Budgeted for the Fleet Services Department.
 Ref: Bid No. B89-69.
 Expenditure: \$37,950.21, including sales tax.

RECOMMENDATION:

The Purchasing Division and the Fleet Services Department recommend that your Honorable Body award a contract for the purchase of six (6) Kawasaki motorcycles to Whittier Honda-Kawasaki, Whittier, CA, in the total amount of \$37,950.21.

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- 20b. COUNCIL AWARD OF CONTRACT - Re: Contract to Provide a Traffic Engineering Report for the Newton Street and Via Valmonte area bounded by Vista Montana, Pacific Coast Highway, Hawthorne Boulevard and the South City Limit.
Expenditure: Not to exceed \$9,985.00.

RECOMMENDATION:

The Department of Transportation recommends awarding a contract to Justin F. Farmer Transportation Engineers, Inc. to prepare a traffic engineering report for the Newton Street and Via Valmonte area bounded by Vista Montana, Pacific Coast Highway, Hawthorne Boulevard and the south City limit.

- 20c. TORRANCE MUNICIPAL AIRPORT TAXIWAY PAVEMENT IMPROVEMENT PROJECT.
Notice of Completion.

RECOMMENDATION:

The Department of Transportation recommends that the work be accepted and a final payment of \$30,881.15 be made to the contractor, Sully Miller Construction Company, for the completed Taxiway Pavement Improvement Project.

MOTION: Councilman Applegate moved to concur with staff recommendations on Consent Calendar items 20a, 20b and 20c. His motion was seconded by Councilman Wirth and roll call vote was unanimously favorable.

* * *

At 11:50 p.m., the City Council convened in joint session with the Redevelopment Agency of the City of Torrance. At 11:51 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 Page 25.]

* * *

22. ORAL COMMUNICATIONS:

- 22a. City Clerk Bramhall provided information regarding advertising procedures for Commission appointments scheduled for

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January 9, 1990. Councilman Applegate requested that notice be incorporated regarding those currently serving who are eligible for reappointment.

22b. Councilman Applegate reported illegal curb markings at the Cottone Christmas tree lot on Crenshaw Boulevard - staff to follow through. Mr. Applegate also requested that staff diligently monitor signage at this location.

22c. Councilwoman Hardison expressed appreciation to the Street Department staff for their excellent presentation of material on the recycling item [Agenda Item Page

22d. Councilman Wirth requested an internal staff review of the issue of a wall on the corner of Carson Street and Marjorie Avenue.

22e. Councilman Wirth commented favorably on the recent City executive staff retreat.

23. EXECUTIVE SESSION:

23a. The City Council/Redevelopment Agency having remained in joint session [see Page 24], Mayor/Chairwoman Geissert now 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 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;

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- Pending litigation entitled California Aviation Council, et al., vs. Torrance City Council, et al. Los Angeles Superior Court.
- Potential litigation regarding a claim that has been filed by Ann Kostello.
- Lease negotiations with non-profit corporation regarding Columbia School site.
- Lease amendment negotiations regarding Madison Park Ground Lease.

The City Council acting as the Redevelopment Agency Board will confer with the Executive Director and Agency Council regarding...

- Pending litigation entitled Redevelopment Agency vs. Thomas G. Woolson, et al., Los Angeles Superior Court Case No. C 544910.

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

NOTE: Mr. Walker abstained from consideration of the Redevelopment Agency matter.

At 12:00 Midnight, the City Council/Redevelopment Agency recessed to joint executive session, returning at 12:30 a.m. [November 22] to take the following Council-related action.

City Attorney Nelson requested that the Council concur in the recommendations relating to the claim filed by Ann Kostello. Councilman Walker SO MOVED. His motion was seconded by Councilwoman Hardison and roll call vote was unanimously favorable.

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24. ADJOURNMENT:

At 12:32 a.m. [November 22], the meeting of the City Council/Redevelopment Agency of the City of Torrance was formally adjourned to Tuesday, December 5, 1989, 5:30 p.m.

Adjournment was dedicated to the memory of

Mr. Robert Abrams.

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Mayor of the City of Torrance


Clerk of the City of Torrance

Valerie Whippie
Minute Secretary

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