

I N D E X

Torrance City Council - May 29, 1990

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#

Peggy Laverty
Minute Secretary

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MINUTES OF A REGULAR MEETING
OF THE TORRANCE CITY COUNCIL

OPENING CEREMONIES:

1. CALL TO ORDER

A regular meeting of the Torrance City Council was called to order by Mayor Geissert at 5:38 p.m. on Monday, May 29, 1990, 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.

* * *

Mayor Geissert announced with sadness the passing of Ms. Emma Oskie, mother of Torrance Traffic Commissioner Mary Cooper. It was the Mayor's request that this meeting be adjourned in Ms. Oskie's memory.

* * *

3. FLAG SALUTE/INVOCATION

The Flag Salute was led by Ms. Ann O'Brien.

Fire Chief Scott Adams provided the invocation.

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4. MOTION TO WAIVE FURTHER READING

MOTION: Councilman Applegate moved that after the City Clerk has assigned a number and red title to any resolution or ordinance on the agenda for this meeting, the further reading thereof be waived, reserving and guaranteeing to each Councilmember the right to demand the reading of any such resolution or ordinance in regular order. His motion was seconded by Councilman Mock and roll call vote was unanimously favorable.

Heard out of order . . .

7. WITHDRAWN OR DEFERRED ITEMS

Changes to the City Council and Redevelopment Agency agendas were announced by the City Manager and City Attorney as follows:

Withdrawal from City Council Agenda:

Item 22, Executive Session, pending litigation entitled Margaret Rexroad v. City of Torrance, Los Angeles Superior Court Case No. SWC 83577.

Addition to Redevelopment Agency Agenda:

Redevelopment Agency Item 9, Executive Session, pending litigation entitled Redevelopment Agency of the City of Torrance vs. Thomas J. Eadie, et al., Los Angeles Superior Court Case No. C 544918.

Returning to agenda order . . .

5. COUNCIL COMMITTEE MEETINGS

Community Planning and Design Committee

Date: Wednesday, June 13, 1990, 5:00 p.m.
Subject: Review of Residential Development Standards for Downtown Project Area.

Public Safety Committee

Date: Thursday, June 14, 1990, 4:30 p.m.
Subject: Acutely Hazardous Materials Review and Permit Process.

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6. COMMUNITY MATTERS

6a. "PROTECTING THE EARTH" POSTER CONTEST AWARDS PRESENTATION

Ms. Adrian Fraley, President of the Friends of the Madrona Marsh, and Ms. Margaret Carroll, representing the Torrance Youth Council, joined Mayor Geissert to honor winners of the "Protecting the Earth" poster contest sponsored by the Youth Council and the Friends of the Madrona Marsh.

Awards, including certificates, U.S. Savings Bonds for first and second place winners, subscriptions to an environmental magazine, and symbolic "deeds" to Madrona Marsh, were presented to the following individuals:

<u>First Place</u>	<u>Second Place</u>	<u>Third Place</u>
	<u>Ages 5 and 6</u>	
Andy Payton	Jordon Lawrence	Tory Gunter
	<u>Ages 7 and 8</u>	
Marie Higuchi	Claire Macaraeg	Katrina Johnson
	<u>Ages 9 and 10</u>	
Mark Higuchi	Daria Parks	Letty Samonte
	<u>Ages 11 and 12</u>	
Jared Barlow	Dean Endow	Alicia Pentz
	<u>Ages 13 and 14</u>	
Matt Kahn	Yuki Tono	Chris Delfosse
	<u>Ages 14 through 17 (High School)</u>	
Mike Sebaugh	Janet Lynn Schamp	Diana Cypher

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6b. DONATION FROM TORRANCE KIWANIS

Ms. Cathi Wachter, President of the Torrance Kiwanis, presented Mayor Geissert with a check in the amount of \$407.00 representing 50 percent of the cost of the luncheon provided to students who participated in the Youth in Government Day. There was grateful acceptance on the part of the Mayor.

Taken out of order . . .

11a. DONATION FROM TOYOTA TECHNICAL CENTER

The Mayor announced the presentation of a \$10,000 donation from Toyota Technical Center, U.S.A., Inc. to the Police Department of the City of Torrance for the purchase of additional "LoJack" Police Tracking Computers. Inasmuch as the Toyota representative was not present, she called upon the Chief of Police to explain how the donation would be used.

The Police Department's commitment to participate in the "LoJack" computer tracking system for recovering stolen vehicles was explained by Police Chief Nash. He further described the equipment that would be purchased with the donation from Toyota.

Returning to regular order . . .

7. WITHDRAWN OR DEFERRED ITEMS

Heard earlier; see Page 2.

8. CONSENT CALENDAR

8a. Approval of Minutes: May 1, 1990.

8b. Accept and File Report of the City Clerk on Posting of Agenda.

8c. Approval of Final Tract Map No. 46732
Subdivider: Christopher Russell, et al.
Location: 2066, 2070, and 2074 Lincoln Avenue
No. of Lots: 1 (six-unit condominium)

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- 8d. Release of Subdivision Guarantee and Time Certificate of Deposit for Tract No. 45587
Subdivider: Storm Industries
Location: 2163 West 235th Street
Engineer: Dalcin Cummins Associates
No. of Lots: 5

Councilman Applegate requested separate consideration of Item 8d.

MOTION: Councilman Applegate moved to approve Consent Calendar Items 8a through 8c, above. Councilman Mock seconded the motion and roll call vote reflected unanimous approval.

MOTION: Councilman Wirth moved to approve Consent Calendar Item 8d. Seconded by Councilwoman Hardison, his motion carried by majority roll call vote with Councilman Applegate abstaining (for reasons of record).

9. LIBRARY/PARKS AND RECREATION MATTERS

9a. MADRONA MARSH WATER PROGRAM

Mayor Geissert introduced Item 9a, a Councilmanic appeal of an administrative decision to provide municipal water to the Madrona Marsh.

RECOMMENDATION:

The Parks and Recreation Director recommends that the City Council concur with the actions proposed and initiated by staff to restore 2 to 3 acre feet of water to sensitive areas of wetland vegetation through the use of municipal water and irrigation systems

Background information (per material of record) was provided by Parks and Recreation Director Barnett. Supplementary to the staff report, Mr. Barnett advised that a substantial amount of water has now been retained in the on-site sump at the Marsh from a recent unexpected rainfall and that it was anticipated this captured water would meet the amount staff was recommending be provided to the Marsh.

The Parks and Recreation Director requested that the possibility of needing supplemental domestic water to replenish the Marsh be "held open" pending an evaluation.

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Councilman Walker expressed his opinion that the City would be setting a poor example by using drinking water for the Madrona Marsh in this time of drought and conservation. He then related the circumstance under which he conveyed his concerns to the Parks and Recreation Director regarding the City's restoration of water to the Marsh.

After being assured by the Parks and Recreation Director that water proposed for Marsh restoration use [a fraction of 1% of that normally used for medians/parkways] would not cause damage to those areas, Councilman Mock offered the following:

MOTION: Councilman Mock moved to concur with the staff recommendation and to initiate water irrigation on the Marsh as proposed. The motion was seconded by Councilman Nakano. (This motion ultimately carried by majority vote; see Page 7).

Councilman Applegate agreed with Councilman Walker's above comments, noting further that he would opt for the individual rights of residents to decide how they would like to use their water versus the City taking it upon themselves to use an irreplaceable and valuable natural resource for the Marsh.

At Councilwoman Hardison's request, Parks and Recreation Director Barnett confirmed that the City would consider all the alternatives listed in the draft memorandum (included in agenda material) and any other alternatives that might be forthcoming.

The City Manager emphasized that the sump system is in place and working and should be an excellent source of water for the Marsh in future years.

The public was then invited to speak.

Speaking on behalf of the Friends of Madrona Marsh, Ms. Adrian Fraley, President of Friends of Madrona Marsh, 5078 Torrance Boulevard, supported the recommendation made by the Parks and Recreation Department and the action taken by staff.

Mr. Mike Mauno, 2845 Onrado Street, noted, for the record, his support of the motion and of preserving the Marsh as a nature study center.

Mr. Don Roser, 2650 West 234th Street, expressed his personal opinion that drinking water would be better used to sustain the Marsh than to fill swimming pools.

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Roll call on the motion to concur with the staff recommendation is reflected below.

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

NOES: Councilmembers Applegate and Walker.

Discussion turned to a procedural point brought up earlier by Councilman Mock. Of the understanding that a Councilmanic request for an agenda item had to be brought forward during a Council meeting under "Oral Communications," Councilman Mock noted that such procedure was not followed in this case. It was his expressed desire that a procedure for such action be established, with the concurrence of Council, and that the City Attorney return with the information as an agenda item.

An extensive Council discussion resulted in the Mayor ultimately directing the City Attorney to work with the City Manager and return at an early date with several options for placing items on the agenda and/or appealing administrative decisions.

Considered next out of order...

10. TRANSPORTATION/PUBLIC WORKS MATTERS

10e. ELECTION OF SCRTD CORRIDOR "B" BOARDMEMBER

RECOMMENDATION:

The Department of Transportation recommends that your Honorable Body endorse one of the two candidates... Gordana Swanson, Councilwoman from Rolling Hills, or Jozelle Smith, Councilwoman from Culver City...for election to the SCRTD Board of Directors seat from Corridor "B".

Mayor Geissert clarified that, as Torrance's voting delegate to the City Selection Committee, she was requesting direction from the Council regarding her vote for the above-noted SCRTD Boardmember.

Individual Councilmembers indicated their choices.

Councilman Wirth voiced his preference for Councilwoman Smith from Culver City because of the fact that that city has a municipal bus system similar to that of the City of Torrance, and

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thus experiences comparable concerns and needs. Mr. Wirth also pointed out certain past stands of the RTD Board [of which Ms. Swanson of Rolling Hills was a voting member] negative to the City of Torrance.

Support for Councilwoman Swanson from Rolling Hills [presently completing her second four-year term] was indicated by various other members of Council, it being specifically noted that, if elected, Ms. Swanson's future support of Torrance concerns would be anticipated. Valuable experience in the field of transportation gained by Ms. Swanson during her eight-year tenure was acknowledged, as was her demonstrated willingness to hear concerns of Councilmembers of the City of Torrance.

It was suggested by Councilman Applegate that, if the City of Torrance supports Ms. Swanson, appropriate correspondence be directed to her outlining the basis for that support and the City's transportation concerns and expectations.

MOTION: Councilman Walker moved to request support of Gordana Swanson in the coming election. His motion was seconded by Councilman Applegate.

A SUBSTITUTE MOTION was offered by Councilman Wirth to support the candidacy of Councilwoman Smith from Culver City. This motion was seconded by Councilman Mock.

The substitute motion failed to carry by way of the following roll call vote.

AYES: Councilmembers Mock and Wirth.

NOES: Councilmembers Applegate, Hardison, Nakano, Walker and Mayor Geissert.

The main motion to support Ms. Swanson carried as is indicated below.

AYES: Councilmembers Applegate, Hardison, Nakano, Walker and Mayor Geissert.

NOES: Councilmembers Mock and Wirth.

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* * *

At 7:10 p.m., the City Council met in joint session with the Redevelopment Agency of the City of Torrance. This meeting of the Redevelopment Agency was adjourned at 8:00 p.m., and the regular Council agenda order was resumed.

* * *

Considered next out of order...

21. ORAL COMMUNICATIONS

21a. Mayor Geissert recognized a visitor to the City of Torrance and invited him to address the Council at this time.

Mr. Frank Broughton extended greetings from the City of Kingston upon Hull and its Lord Mayor in the United Kingdom; also from the Chairman of the County Council of North Humberside County, on the east coast of England.

Mr. Broughton then, on behalf of the Lord Mayor, presented Mayor Geissert with the coat of arms, as well as other mementos, from the City of Hull and with the armorial coat of arms of Humberside County on behalf of the Chairman of the County Council.

These gifts were accepted, with great appreciation, by Mayor Geissert, who extended greetings and, in turn, presented mementos from the City of Torrance to this visitor.

The Council now returned to its regular agenda order.

10a. APPLICATION FOR ENCROACHMENT AGREEMENT AT 22201 LINDA DRIVE
(Proponent: Ray M. el Taha)

RECOMMENDATION:

It is recommended that the encroachment agreement for a concrete block fence at 22201 Linda Drive be denied.

Staff presentation, with the aid of transparencies and slides, was provided by Senior Division Engineer Perkins and the above Engineering Department recommendation for denial was noted.

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Councilwoman Hardison inquired regarding an earlier constructed fence along the Sepulveda frontage of the subject property. This fence was deemed by City Engineer Burttt to be a non-permitted encroachment.

City Attorney Nelson recommended, now that the Sepulveda encroachment has been discovered, it be investigated and if found not to be a problem that a permit then be issued. At the request of Mayor Geissert, Mr. Nelson also addressed the matter of a number of other encroachments along the west side of Linda Drive which he recommended be investigated inasmuch as they have come to the Council's attention.

Mr. Ray el Taha, 22201 Linda Drive, described the circumstances of his current fence construction along Linda Drive and noted that the Sepulveda fencing was in place when he purchased the property some four years ago. This speaker described various problems in the area of his property -- a neglected STOP sign [photograph submitted for the record]; mud washing down the slope; etc. Noting that it had been his understanding that a building permit was not required for the concrete block fence, Mr. el Taha requested consideration of a compromise to preclude the necessity of removal of the entire wall.

A lengthy discussion ensued with expansion of various aspects of the problem from the City's standpoint provided by Senior Division Engineer Perkins. Details and clarification were also provided, as requested, by Building and Safety Director Grippo [permit process]; Fire Chief Adams [clearance requirements pertaining to the fire hydrant]; and City Engineer Burttt [notification procedure].

The City's concerns, particularly involving the proximity of the wall to the fire hydrant and water main, were acknowledged by the Council.

It was suggested by Councilwoman Hardison that the Council consider waiving the fee involved with the existing Sepulveda fencing when that matter might be presented for consideration in the future.

Mayor Geissert inquired regarding a possible alternative approach which would entail removal and relocation of that portion of the wall from the STOP sign around to the rear of the fire hydrant, rather than removing the entire wall.

Senior Division Engineer Perkins responded to this suggestion, noting that while relocation of the footing from the STOP sign to the fire hydrant would address the issue of permanently

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limiting the sidewalk width, it would not solve an additional concern of a retaining wall located over a water main further south from the hydrant.

Concerns regarding line-of-sight while backing out of the driveway were also introduced by Councilman Applegate, who offered his opinion that inasmuch as the Council is at this time addressing the new construction only and not the existing wood/masonry wall on Sepulveda, the Council has no recourse except to deny the request for an encroachment permit.

Councilman Applegate SO MOVED. His motion was seconded by Councilman Mock.

Councilman Walker requested that staff return with an analysis of the existing wood fence on Sepulveda.

Roll call vote on the above motion was unanimously favorable.

MOTION: Councilman Walker moved that the Council waive the fee pertaining to the fence existing along Sepulveda. His motion was seconded by Councilwoman Hardison and roll call vote was unanimously favorable.

The proponent returned to the podium to again address the issue and was advised by City Engineer Burt that the Engineering Department will work with him regarding redesign.

Councilwoman Hardison requested that appropriate staff investigate the status of the STOP sign described by Mr. el Tara as being improperly secured.

10b. ENCROACHMENT AGREEMENT AT 23060 DORIS WAY
(Proponent: Ralph G. Garland)

RECOMMENDATION:

It is recommended that the resolution authorizing the Mayor and City Clerk to execute and attest the encroachment agreement for a decorative fence, step in walkway and brick planter at 23060 Doris Way be approved and adopted.

Senior Division Engineer Perkins provided the staff presentation on this agenda item.

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Mr. Roger Lindeman, 1850 213th Street, the applicant's architect, requested permission to construct the proposed fence four feet from the curb, rather than 10 feet as required by the Encroachment Review Committee. It was Mr. Lindeman's contention that the 10-foot setback would not protect the property owners from the on-going problem of vandals driving across the property.

Photographs of existing encroachments on neighbors' properties were submitted, for the record, by Mr. Lindeman.

Details relating to the Committee's recommendation were related by Senior Division Engineer Perkins, who explained that the 10-foot setback is not intended as a precise measurement, but rather might be adjusted somewhat in order to clear trees on the property.

Mr. Lindeman advised that, if allowed to locate the fence as requested, the proponent is willing to sign an agreement which would require him to remove the fence if needed by the City in the future.

Discussion developed along this vein with Councilman Applegate suggesting an encroachment permit recordable against the land wherein the property owner stipulates that, in the event there is a need, they would, at their own cost, remove the fence. The City Attorney noted that such a stipulation would be possible upon 30-days' notice and showing that it is needed for public purposes.

Senior Division Engineer Perkins related the department's concerns and the thrust of their approach in requiring a 10-foot free area for possible future use by utility companies, etc. He explained the burden placed on the City in having to require the property owner to move the fence if construction is allowed within that public right-of-way area.

Councilman Applegate stressed his desire that a mechanism be established in cases such as this whereby documentation is recorded putting any future property owner on notice that a 30-day notice could effect a requirement for removal of an encroaching structure.

The architect, Mr. Lindeman, returned at this point to advise that the house is some 21-22 feet back of the curb. Mr. Perkins acknowledged that this would, with the 2-3 foot encroachment allowed by the Encroachment Committee, place the fence some 12-14 feet from the house.

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MOTION: Councilman Walker moved to concur with the recommendation of the Encroachment Committee taking into consideration the latitudes as discussed at this meeting and just brought forth by the Engineering Department. The motion was seconded by Councilwoman Hardison.

In response to Councilman Applegate's inquiry regarding inclusion of the stipulation that the owner be willing to remove the fence at his own expense, Senior Division Engineer Perkins advised that that is a provision of the current agreement.

Roll call vote on the above motion was unanimously favorable.

RESOLUTION NO. 90-86

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING THE EXECUTION OF THAT CERTAIN ENCROACHMENT AGREEMENT BETWEEN THE CITY OF TORRANCE AND RALPH G. GARLAND PERMITTING ENCROACHMENTS IN THE PUBLIC RIGHT-OF-WAY AT 23060 DORIS WAY

MOTION: Councilman Nakano moved to adopt Resolution No. 90-86. His motion was seconded by Councilwoman Hardison and roll call vote was unanimously favorable.

10c. NORTH TORRANCE RELIEF DRAIN, UNIT 2 (LACDPW)

City Engineer Burtt praised the diligent efforts of Mr. Perkins and Mr. Bell of Engineering Department staff in obtaining funding for the subject project.

RESOLUTION NO. 90-87

A RESOLUTION OF THE CITY OF TORRANCE, APPROVING THE PLANS AND SPECIFICATIONS FOR THE NORTH TORRANCE RELIEF DRAIN, UNIT 2 AND AUTHORIZING THE LOS ANGELES COUNTY DEPARTMENT OF PUBLIC WORKS TO COMMENCE CONSTRUCTION

MOTION: Councilman Nakano moved to adopt Resolution No. 90-87. His motion was seconded by Councilman Walker and roll call vote was unanimously favorable.

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10d. CARSON STREET IMPROVEMENT PROJECT - RIGHT-OF-WAY ACQUISITION AND APPROVAL OF CLAIMS

RECOMMENDATION:

It is recommended that your Honorable Body:

1. Adopt the resolution accepting the terms of the negotiated settlements of right-of-way acquisition for Parcel Nos. 13, 15, 16, 17, 18, 19, 28, 33, 34, 36, 39, 41 and authorizing the Mayor and City Clerk to accept and execute the Right-of-Way Agreements with the owners of the said parcels; and
2. Authorize payments be made to the property owners.

RESOLUTION NO. 90-88

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING PAYMENT FOR STREET EASEMENTS ON CARSON STREET BETWEEN MADRONA AVENUE AND CRENSHAW BOULEVARD AND AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK TO ACCEPT AND EXECUTE THOSE CERTAIN RIGHT-OF-WAY AGREEMENTS INCLUDED HEREIN

MOTION: Councilman Nakano moved to adopt Resolution No. 90-88. His motion was seconded by Councilman Walker and roll call vote was unanimously favorable.

MOTION: Councilman Applegate moved to concur with staff recommendation #2, above to authorize payments to the property owners. His motion, seconded by Councilwoman Hardison, carried by unanimous roll call vote.

10e. ELECTION OF SCRTD CORRIDOR "B" BOARDMEMBER

See Page 7.

11. POLICE AND FIRE MATTERS

11a. ACCEPTANCE OF DONATION FROM TOYOTA TECHNICAL CENTER

See Page 4.

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12. PLANNING AND ZONING MATTERS

12a. RESOLUTIONS OF APPROVAL - OXFORD PROJECT

Mayor Geissert invited audience input on the resolutions submitted.

Mr. Milan Smith, of the law firm of Smith and Hilbig, Suite 500, 21515 Hawthorne Boulevard, was present to represent The Torrance Company. Mr. Smith recalled his previous request of the Council that a condition be added to the Conditional Use Permit requiring Oxford Properties to obtain an exclusive parking easement for the Denny's parcel...his request at this time was to request that a condition be added requiring Oxford merely to use its best efforts to obtain said easement.

Addressing the rewording of the requested condition, City Attorney Nelson acceded that this would resolve the problem of unreasonableness, should the requested easement be impossible to obtain. Mr. Nelson pointed out, however, that "best effort" in legal terminology is not something that can be taken lightly and may even require litigation.

Mr. Smith returned to explain that they are not asking that Oxford litigate under any circumstances -- they are merely asking for their cooperation.

Strong opposition to the addition of this requested condition was expressed by Mr. Jim Andrews, 333 South Hope Street, Los Angeles, representing Oxford Properties, Inc. Mr. Andrews provided extensive background information on the properties and the easements and agreements entered into and presently in effect.

Mr. Smith returned to argue his point, subsequent to which Mayor Geissert suggested that this would appear to her to be a private matter between property owners rather than a public affair. City Attorney Nelson agreed that the City is, at this time, being somewhat brought into a relationship between the two parties.

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

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RESOLUTION NO. 90-89

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT TO ALLOW THE CONSTRUCTION OF A SIX STORY OFFICE BUILDING AND A THREE LEVEL PARKING STRUCTURE ON PROPERTY LOCATED IN THE C-3 ZONE AT THE SOUTH SIDE OF TORRANCE BOULEVARD BETWEEN HAWTHORNE BOULEVARD AND AMIE AVENUE CUP 89-61: OXFORD PROPERTIES, INC.

MOTION: Councilman Mock moved to adopt Resolution No. 90-89. His motion was seconded by Councilman Walker and carried by way of the following roll call vote.

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

NOES: Councilmembers Applegate, Hardison and Nakano.

RESOLUTION NO. 90-90

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A MODIFICATION OF A PREVIOUSLY APPROVED CONDITIONAL USE PERMIT TO ALLOW THE CONSTRUCTION OF A SIX STORY OFFICE BUILDING AND A THREE LEVEL PARKING STRUCTURE ON PROPERTY LOCATED IN THE C-3 ZONE AT THE SOUTH SIDE OF TORRANCE BOULEVARD BETWEEN HAWTHORNE BOULEVARD AND AMIE AVENUE CUP 86-15 (MOD): OXFORD PROPERTIES, INC.

MOTION: Councilman Mock moved for the adoption of Resolution No. 90-90. This motion, seconded by Councilman Walker, carried by way of the following roll call vote.

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

NOES: Councilmembers Applegate, Hardison and Nakano.

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12b. ORDINANCE RE TIME LIMIT ON CONDOMINIUM CONVERSIONS

ORDINANCE NO. 3301

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING SECTION 91.36.3 OF THE TORRANCE MUNICIPAL CODE TO PROVIDE FOR A WAITING PERIOD BEFORE ANY PERSON MAY REQUEST THE CONVERSION OF A TWO-FAMILY OR MULTI-FAMILY DWELLING TO A CONDOMINIUM, STOCK COOPERATIVE OR THE LIKE

MOTION: Councilman Nakano moved to approve Ordinance No. 3301 at its first reading. His motion, seconded by Councilman Walker, carried by unanimous roll call vote.

13. ENVIRONMENTAL/BUILDING AND SAFETY MATTERS

13a. INFRACTION SYSTEM FOR VIOLATIONS OF THE MUNICIPAL CODES

ORDINANCE NO. 3302

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE ADDING NEW SECTIONS 11.2.5 AND 11.2.6 TO THE TORRANCE MUNICIPAL CODE PROVIDING FOR AUTHORIZATION FOR CERTAIN OFFICERS AND EMPLOYEES OF THE CITY TO EXERCISE THE POWERS OF ARREST RELATING TO CERTAIN MUNICIPAL CODE PROVISIONS

MOTION: Councilman Nakano moved to approve Ordinance No. 3302 at its first reading. His motion was seconded by Councilman Mock.

Prior to roll call vote on the motion clarification as to the procedure proposed and details regarding specific aspects of the subject process were provided by Building and Safety Director Grippo and by Environmental Quality Administrator McElroy.

As discussion developed, Councilman Applegate requested that Council have an opportunity to review the procedure outline to be prepared as a guideline for staff. It was Mr. Applegate's further suggestion that an alternative administrative procedure be developed to handle certain types of infractions where it might be possible to preclude an actual court appearance.

Audience input was invited by the Mayor.

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Ms. Sandi Monda, 21506 Talisman, requested and received clarification regarding the parameters of the subject Municipal Code modifications.

Roll call vote for the approval of Ordinance No. 3302 at its first reading was unanimously favorable.

* * *

At 9:54 p.m., Mayor Geissert called a recess. The Council reconvened at 10:10 p.m.

* * *

Taken out of sequence . . .

15. HEARINGS

15b. ZC 89-5, CUP 89-84, GPA 89-7, TT 48313: ROBERT GARSTEIN

Mayor Geissert announced that this was the time and place for City Council consideration of an appeal of a Planning Commission approval of a Zone Change from M-1 (Light Manufacturing) to R-3 (Limited Multiple Family Residential); a General Plan Amendment from Low Density Residential to Medium Density Residential; a Conditional Use Permit to allow the construction of 24 condominium units with a floor area to lot area ratio (FAR) exceeding .6 to 1; and a Tentative Tract to allow a one-lot subdivision for condominium purposes on property located at the northwest corner of Gramercy Place and Artesia Boulevard. ZC 89-5, CUP 89-84, GPA 89-7, TT 48313 (EA 89-21): ROBERT GARSTEIN.

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

During his staff presentation on this item Senior Principal Planner Gibson noted that the Planning Commission and the Planning Department recommend denial of the appeal and approval of the project.

Mr. Gibson then responded to Council questions regarding possible access from Artesia Boulevard; General Plan land use category designations as related to this proposal; and the differentiation in the floor area ratio calculations for the project.

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The proponent was invited to speak.

Mr. Robert Garstein, 2545 West 237th Street, Suite I, applicant, accompanied by Mr. Mike Abram, 121 West Torrance Boulevard, Redondo Beach, responded to questions from the Council regarding setbacks, reorientation and treatment of a second floor balcony, second story overhang and vehicular clearance, etc.

Mr. Abram then referenced a color-coded chart [of official record] indicating those neighbors in support of the project as currently designed. This speaker also explained their efforts to address the concerns of nearby residents as well as comply with City requirements.

The following members of the audience spoke in response to the Mayor's invitation. Many of these individuals expressed grave concerns pertaining to existing area traffic problems, rather than addressing the specific project under consideration.

Mr. Frank Babic, 17104 Haas Avenue, noted serious traffic concerns and questioned the existence of an adequate sewer capacity to accommodate the proposed project. Single-family residential development was preferred by this speaker.

Mr. Steve Burk, 17214 Illinois Court, advised that he would be the most affected by development of the subject site and expressed concerns regarding parking, shadowing, drainage, sewer capacity, impact of balconies and windows on his property, dust and vector control during construction, plants to be used in landscaping [because of asthmatic family members], intensified traffic problems, security, littering, etc. Mr. Burk suggested fewer units with deeper setbacks.

Ms. Karen Burk, 17214 Illinois Court, expressed grave concerns regarding traffic, plantings proposed [because of an asthmatic condition], and possible problems with the location of an existing wall on her property [see Page 15 for further comments regarding the wall]. This speaker also registered concerns regarding the grade differential between the subject site and the Illinois Court properties.

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Mr. Steve Calderon, 2025 Artesia Boulevard, Unit A, spoke in favor of the project noting his preference for a residential development over manufacturing. Mr. Calderon submitted letters of support from four individuals who are also residents of his condominium complex.

Noting his favor of a residential development, Mr. Charles Waddell, 17025 Wilton Place, described in some detail existing traffic patterns and concerns and suggested that the main access to the project be changed from Gramercy Place to Artesia Boulevard. He also suggested that single story structures be considered along the north side of the project.

Approval was indicated by Mr. Vince Anderson, 2027 Artesia Boulevard, Unit H.

A resident of the condominiums at 2025 Artesia Boulevard [name unintelligible] recommended that a decision be made on this case "one way or the other."

Ms. Alice Narey, 17044 Wilton Place, addressed the traffic issue and noted on-going sewer problems.

At this point in the meeting Mr. Fabian Abram, 121 West Torrance Boulevard, Redondo Beach, one of the owners of the subject property, responded to statements of an earlier speaker and provided background information regarding his personal involvement and supportive interest in the City of Torrance.

Ms. Barbara Lopresto, 17103 Wilton Place, expressed concerns regarding traffic and possible short-cutting through her neighborhood. Right turn prohibition from Artesia Boulevard onto Wilton Place was recommended.

Mr. Joseph Lopresto, 17103 Wilton Place, described poor street conditions, excessive truck traffic, and the need for enforcement or additional STOP signs. Mr. Lopresto recommended that the egress from the subject site be onto Artesia.

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Mr. Leslie Slutton, 17215 Illinois Court, spoke in favor of the project with a change of egress from Gramercy Place to Artesia Boulevard.

Serious traffic concerns were also related by Mr. Allen Miyamoto, 16926 Haas Avenue. This speaker recommended less density, and more guest parking.

Mr. Tom Spears, 2031 West 171st Street, recommended channeling the traffic from this site onto Artesia Boulevard. This speaker also spoke to the credibility of the Abrams group.

A detailed study of the traffic patterns and conditions in the area and road conditions on Gramercy Place was recommended by Mr. William T. Moody, Jr., 2032 West 171st Street. Mr. Moody recommended a change in access to Artesia Boulevard and also attested to the high standards of Mr. Fabian Abram.

There being no one else who wished to address the Council at this point, Councilman Applegate moved to close the hearing. His motion was seconded by Councilwoman Hardison and roll call vote was unanimously favorable.

Council discussion ensued.

Councilman Applegate acknowledged the serious traffic conditions in the subject area and the need that they be addressed irrespective of this project. The following motion was then offered.

MOTION: Councilman Applegate moved to grant the appeal, changing the primary ingress/egress for the property to Artesia Boulevard. The motion was seconded by Councilman Walker.

Discussion continued.

The need for maintaining visibility unobstructed by parked vehicles, landscaping, etc. at the Artesia access was stressed by Councilman Walker.

Councilwoman Hardison inquired regarding the difference in elevation between the subject site and properties on Illinois Court which had been referenced by one of the speakers. Senior

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Principal Planner Gibson advised that the final elevations will be determined in terms of drainage and will be indicated on the grading plan for the project.

Further concerns voiced by Councilwoman Hardison included the sufficiency of on-site guest parking spaces and the impact of the patio of the middle unit of Building 1 on adjacent residential property. Ms. Hardison suggested that Building 1 might be modified to contain only two units in order to mitigate that problem. A serious concern regarding the provision of sufficient guest parking was expressed by Ms. Hardison, who also related the need to curtail use of guest spaces for parking of third cars/recreational vehicles of residents.

Senior Principal Planner Gibson addressed certain aspects of the project in light of audience input and Council discussion at this meeting. Mr. Gibson inquired regarding treatment of the Gramercy Place access if a new access to the site is placed on Artesia. He also noted that the throating requirement may result in the elimination of a unit along Artesia; cautioned that Caltrans has jurisdiction regarding curb cuts on Artesia Boulevard; and concurred regarding the possibility of a design change eliminating a unit on the northeast side in order to maintain privacy for the existing adjacent residential property.

Councilman Nakano concurred with the idea of providing access from Artesia Boulevard in order to alleviate some of the traffic problem which would otherwise be caused on 171st Street. This Councilmember also commented on the presence of large trucks on Gramercy Place and indicated concurrence with earlier stated remarks regarding guest parking.

Councilman Mock, likewise, recommended additional guest parking, a lowering of project density, and access on Artesia Boulevard, with the Gramercy Place access retained for emergency purposes only.

A SUBSTITUTE MOTION was then offered by Councilman Mock to grant the appeal and deny the project without prejudice. The motion was seconded by Councilman Nakano.

The proponent, Mr. Mike Abram, requested that the hearing be reopened in order that he might address the Council [see Page 15].

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In response to a request from Mayor Geissert, Senior Principal Planner Gibson advised that reducing the FAR from the present .64 to .6 would reduce the number of units by one or two and would probably allow for an additional four guest parking spaces.

At the Mayor's request, Director of Transportation Horkay addressed the Gramercy Place access, noting that the Department of Transportation would prefer to retain that access as a better long-term solution.

The question of driveway width was addressed by Fire Chief Adams who noted that his department generally requires 20 feet clear. Chief Adams noted that the throating on Artesia discussed by Planning staff may have an impact on the width on the Gramercy side as well.

As discussion continued, Councilman Applegate WITHDREW HIS ORIGINAL MOTION, Councilman Walker withdrew his second. This action resulted in the substitute motion earlier made by Councilman Mock now becoming the main motion.

Discussion turned to the possibility of continuing the item and, recognizing Mr. Abram's earlier stated request that he be allowed to address the Council, Councilman Applegate MOVED to reopen the hearing. His motion was seconded by Councilwoman Hardison and roll call vote was unanimously favorable.

Mr. Mike Abram agreed to a continuance of this agenda item [two weeks being discussed at this time] and requested direction from the Council as to redesign considerations.

Mayor Geissert noted a desire for a .6 FAR; access to Artesia Boulevard, realizing that approval will be required from Caltrans; and mitigation relating to setbacks, deck area, etc. on the unit closest to the R-1 parcel on Illinois Court.

In response to specific inquiries from Mr. Abram, the Mayor noted that a secondary access on Gramercy Place should be discussed; however, she pointed out that a RIGHT TURN ONLY onto Artesia would be difficult to enforce. As to the acceptability of a .61 FAR, Mayor Geissert did not indicate her personal concurrence.

It was pointed out by City Manager Jackson that the City Council meeting of June 19th would be a more appropriate date for the continuation of this matter than would June 12th. Mr. Abram indicated acceptance of the June 19th date.

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One of the previous audience speakers, who did not identify himself at this time, returned to clarify that it was not his intent to question the credibility of the applicants but, rather, to stress his concerns regarding environmentally-related problems.

Ms. Karen Burk also returned to the podium to note a discrepancy in the address provided for Desert Bay Properties, Inc. [referenced in staff's written material of record]. In response to this speaker's reiterated concerns regarding an existing wall, City Manager Jackson suggested that this might be a Civil dispute between property owners and not an issue correctly before the City Council. Ms. Burk then requested that the asthmatic condition of herself and her youngest child be considered by the proponents.

A SUBSTITUTE MOTION was offered at this point by Councilwoman Hardison to continue Agenda Item 15b to Tuesday, June 19, 1990, 5:30 p.m.. The motion was seconded by Councilman Walker.

City Attorney Nelson noted, for the record, that Mr. Abram has advised him of their willingness to waive the legal time period for conclusion of this item to the June 19th date.

Roll call vote on the substitute motion was unanimously favorable.

Councilman Applegate suggested that consideration be given to using Artesia Boulevard as an exit only and Gramercy Place as access to the project in order to help alleviate some of the problems mentioned.

Mayor Geissert announced that the continued public hearing would not be readvertised.

It was the request of Councilman Applegate that action be taken in the very near future to begin to address the "intolerable" traffic situation on 171st Street at various intersections. Director of Transportation Horkay indicated that he will follow through.

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The regular agenda order was resumed.

14. PERSONNEL MATTERS

14a. REVISED/RETITLED JOB DESCRIPTION - RECREATION SPECIALIST
NEW JOB DESCRIPTION - RECREATION SPECIALIST II

RESOLUTION NO. 90-91

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE SETTING FORTH CERTAIN CHANGES REGARDING HOURS, WAGES, AND WORKING CONDITIONS FOR EMPLOYEES REPRESENTED BY THE TORRANCE RECURRENT RECREATION EMPLOYEES ASSOCIATION RESOLUTION NO. 89-147

MOTION: Councilman Nakano moved to adopt Resolution No. 90-91. His motion, seconded by Councilman Walker, carried by unanimous roll call vote.

14b. APPOINTMENT OF ASSISTANT CITY ATTORNEY

RECOMMENDATION:

It is recommended by the City Attorney that the City Council appoint Mr. Ronald T. Pohl to the position of Assistant City Attorney at step B of the salary schedule in the applicable salary resolution.

MOTION: Councilman Walker moved to concur with the above stated recommendation of the City Attorney. His motion was seconded by Councilman Mock and roll call vote was unanimously favorable.

14c. EXTERNALLY FUNDED RESOLUTION

RESOLUTION NO. 90-92

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING RESOLUTION NO. 89-162 SETTING FORTH CERTAIN CHANGES REGARDING HOURS, WAGES, AND WORKING CONDITIONS FOR EMPLOYEES REPRESENTED BY EXTERNALLY FUNDED AND LIMITED TENURE

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MOTION: Councilman Nakano moved to adopt Resolution No. 90-92. This motion, seconded by Councilwoman Hardison, carried by unanimous roll call vote.

15. HEARINGS

15a. CUP 90-2, TT 44962 (EA 77-96) KLEIN, HENNEFER AND MILNER INVESTMENT CO.

Mayor Geissert announced that this was the time and place for City Council consideration of an appeal of a Planning Commission approval of a Conditional Use Permit and a Tentative Tract to allow construction of 55 condominium units and consolidation of four lots to create two one-lot subdivisions for condominium purposes on property located in the R-TH zone on the north side of Spencer Street 280 feet east of Anza Avenue. CUP 90-2, TT 44962, (EA 77-96): KLEIN, HENNEFER, AND MILNER INVESTMENT COMPANY.

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

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

Mr. Reese Milner, 439 North Bedford Drive, Beverly Hills, was present to represent the developers.

Councilman Wirth expressed his displeasure that the applicant had not contacted him prior to this meeting in order to discuss concerns and questions which he might have on the project. Mr. Wirth stated that he has a number of questions which, at this point, make the project unacceptable to him.

At the request of Councilman Mock, the applicant addressed the matter of the on-going title dispute on the subject property. Mr. Milner provided a brief history of their efforts to obtain title and stated that the basis for proceeding with the matter before Council at this time is the fact that they have equitable title and are moving forward to obtain the grant deed.

City Attorney Nelson, responding to Councilman Mock, suggested that the Council deal with the merits of the project at this point in time, making it a very clear and expressed condition that no permits whatsoever will be issued without clear evidence of title being presented to the City.

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Acceptance of a condition as above described by the City Attorney was indicated by Mr. Milner.

Mr. Herbert Schulzie, 780 Northwood, Incline Village, Nevada, was present to represent Mr. Dan Butcher, 2371 Torrance Boulevard. Mr. Schulzie addressed the matter of the title dispute between the applicants and his client and expressed his strong opinion that the City should require the applicant to prove that he has title to the property.

As discussion progressed, Councilman Applegate asked Mr. Schulzie if his client could show clear and undisputed title for the subject property. Mr. Schulzie declined to answer.

In response to concerns expressed by Councilwoman Hardison, City Attorney Nelson related built-in procedural requirements and reiterated his opinion that there would be no burden on the property by way of action which might be taken by the Council at this time.

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

MOTION: Councilman Applegate moved to deny the appeal and grant the project, adding the condition that no permits of any kind shall be granted until such time as the applicant can show clear title to the satisfaction of the City Attorney.

The motion, seconded by Councilwoman Hardison, carried by way of the following roll call vote.

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

NOES: Councilman Wirth.

RESOLUTION NO. 90-93

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT TO ALLOW THE CONSTRUCTION OF 55 ATTACHED CONDOMINIUM UNITS ON PROPERTY LOCATED IN THE R-TH ZONE AT THE NORTH SIDE OF SPENCER STREET 280' EAST OF ANZA AVENUE. CUP 90-2: KLEIN, HENNEFER AND MILNER INVESTMENT

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MOTION: Councilman Nakano moved to adopt Resolution No. 90-93. This motion, seconded by Councilwoman Hardison, carried as is shown below.

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

NOES: Councilman Wirth.

17. ADMINISTRATIVE MATTERS

17a. CONTRACT FOR PROFESSIONAL LEGAL SERVICES

RECOMMENDATION:

The City Attorney recommends the approval of the agreement for professional services, not-to-exceed \$35,000, with the law firm of Cox, Castle and Nicholson for the purpose of defense of the City against the appeal in the Deros vs. City of Torrance, Los Angeles Superior Court Case No. SWC 79400. Funds for this purpose have been appropriated and are available in the City Attorney's budget for this fiscal year.

MOTION: Councilman Applegate moved to concur with the above stated recommendation of the City Attorney. His motion was seconded by Councilman Walker and roll call vote was unanimously favorable.

21. ORAL COMMUNICATIONS

21a. See Page 9.

21b. City Manager Jackson announced that executive session matters scheduled for this agenda might be postponed at the Council's discretion because of the lateness of the hour.

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21c. Councilman Applegate noted that two residences on the south side of Torrance Boulevard between Anza Avenue and Palos Verdes Boulevard display a proliferation of inoperative vehicles, overgrown weeds and storage of vehicles on the front lawn. Staff will follow through.

21d. Councilman Applegate requested that the Community Calendar be corrected to reflect known meeting schedule changes.

21e. Councilman Applegate discounted certain statements made in a recent newspaper article concerning the non-involvement of Miss Torrance/Beach Cities in the Armed Forces Day Parade.

21f. Councilwoman Hardison noted concerns regarding the need for additional lighting in a newly constructed City employee parking lot. City Manager's office to follow through and report back.

21g. Councilman Nakano requested staff investigation of the sale of used cars in the Wilson Park parking lot. The posting of signs prohibiting such activity was requested by Mr. Nakano.

21h. Mayor Geissert inquired regarding the City's policy on maintenance of parkway strips on busy thoroughfares which are abutted by single-family home side yards.

City Manager Jackson indicated that, generally, the responsibility is that of the adjacent property owner except where that responsibility has been assumed by the City. A report will be forthcoming.

21i. Mayor Geissert requested a return to the former City Council agenda format.

22. EXECUTIVE SESSION

22a. EXECUTIVE SESSION MATTERS

Deferred - See Page 28, Item 21b.

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23. ADJOURNMENT

At 12:50 a.m., this meeting of the City Council was formally adjourned to Tuesday, June 12, 1990, 6:00 p.m. for the purpose of a Civil Service Commission appeal hearing; the regular Council meeting to commence at 7:00 p.m. on that date.

Adjournment was dedicated to the memory of

Ms. Emma Oskie

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Mayor of the City of Torrance



Clerk of the City of Torrance

Peggy Laverty
Minute Secretary

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