

I N D E X

Torrance City Council - August 28, 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

The Torrance City Council convened in a regular meeting on Tuesday, August 28, 1990, at 7:36 p.m., in the Council Chambers at Torrance City Hall.

2. ROLL CALL:

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

Absent: None.

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

3. FLAG SALUTE/INVOCATION

Fire Chief Adams led in the flag salute.

The invocation for the meeting was provided by Lt. Kenneth Hodder, The Salvation Army.

4. APPROVAL OF MINUTES/MOTION RE FURTHER READING

MOTION: Councilman Applegate moved to approve the minutes of the City Council meeting of July 17, 1990, as recorded. His 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 Councilmem-

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ber 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.

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 and for the Special City Council meeting of this date. This motion, seconded by Councilman Mock, carried unanimously by roll call vote.

6. WITHDRAWN OR DEFERRED ITEMS

City Manager Jackson announced the following...

- Item 10a [Final Tract Map 47701] to be withdrawn;
- Item 16a [Airport Noise Administrative Hearing Board Appeal] to be continued one week.

7. COUNCIL COMMITTEE MEETINGS

Employee Relations and Department Organization

Met this date

Subject: Review of City Charter/League of Women Voters Report

Report to be forthcoming.

8. COMMUNITY MATTERS

8a. RESOLUTION HONORING YUKIO "ROY" FUJIWARA

RESOLUTION NO. 90-165

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING AIRPORT OPERATIONS CHIEF YUKIO "ROY" FUJIWARA FOR HIS DEDICATION, PROFESSIONALISM AND CONTRIBUTIONS TO THE CITY OF TORRANCE THROUGHOUT HIS 23 YEARS OF SERVICE

MOTION: Councilman Nakano moved to adopt Resolution No. 90-165. His motion, seconded by Councilman Walker, carried by unanimous roll call vote.

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Mayor Geissert announced that this resolution would be presented at a later date.

9. LIBRARY/PARKS AND RECREATION MATTERS

9a. TORRANCE MEMORIAL MEDICAL CENTER REQUEST RE FESTIVAL OF THE TREES SITE

Mayor Geissert noted that this agenda item was a request by Torrance Memorial Medical Center's Health Care Foundation to use Wilson Park as the site for their seventh annual Festival of the Trees.

RECOMMENDATIONS:

PARKS AND RECREATION COMMISSION

The Parks and Recreation Commission recommends that the City Council approve the use of Wilson Park for the 7th Annual Festival of the Trees.

If approved, the City Council is requested to consider the waiver of all City fees except the safety inspection fees of the Building and Safety Department and the Fire Department.

PARKS AND RECREATION DIRECTOR/CITY MANAGER

The Parks and Recreation Director and the City Manager recommend denial of the request to use Wilson Park as the site for the 7th Annual Festival of the Trees because of the policy issues involved in permitting a private nonprofit organization the use of public property for fund raising purposes.

CITY MANAGER NOTE:

City Manager staff has assisted Festival organizers to locate possible alternative sites for the Festival on private property, such as the GEMCO property and the Medical Center's recently purchased Hughes property. The Festival organizers have decided not to pursue alternative locations pending the City Council's decision regarding Wilson Park.

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Background information [per agenda material of record] was provided by Parks and Recreation Director Barnett, with additional expansion provided by City Manager Jackson.

During the discussion which followed, members of Council stressed that, if the subject request is approved it would be for this year only. The need for an established policy statement and guidelines was acknowledged.

The following motion was offered.

MOTION: Councilman Walker moved to concur with the recommendation of the Parks and Recreation Commission. His motion was seconded by Councilman Wirth.

At Councilman Applegate's suggestion, Councilman Walker AMENDED HIS MOTION to include the responsibility of the applicant for asphalt repairs and cleanup, with the manner in which repairs are to be made to be determined by the City. Insurance provisions were also included at this point by Mr. Walker. This amendment was accepted by Councilman Wirth as seconder of the motion.

Councilwoman Hardison recognized that the original request was submitted to the City in June and acknowledged the apparent time constraints in which the applicants now find themselves. Mrs. Hardison firmly stated that her vote of approval would be for this year only -- this stand was echoed by other members of Council.

From the audience Mr. Larry Gitschier, 1303 Acacia, requested denial of the request because of the time period involved.

It was the request of Councilman Mock that the Parks and Recreation Director work with the Parks and Recreation Commission in terms of establishing guidelines for Council to work with in the future. Mr. Mock also expressed concerns regarding the intent to serve complimentary wine on one evening of the festival and requested that the Council be informed as to how that issue will be dealt with.

City Manager Jackson inquired regarding the waiver of fees as recommended by the Parks and Recreation Commission. Councilman Walker, with Councilman Wirth as seconder, FURTHER AMENDED THE MOTION to include that provision.

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Concerns regarding precedent-setting aspects of this matter were reiterated by the Mayor, who expressed regret that members of Council were not contacted at an early date to assist in locating a suitable place for this year's festival.

The motion [as amended] carried by majority roll call vote with Councilman Mock dissenting.

10. TRANSPORTATION/PUBLIC WORKS MATTERS

10a. FINAL TRACT MAP NO. 47701

WITHDRAWN - see Page 2.

Considered out of order...

16. APPEALS

16a. APPEAL OF AIRPORT NOISE ADMINISTRATIVE HEARING BOARD DECISION

Mr. Bill Sherwood was present in the audience and indicated concurrence with continuance of this item to Tuesday, September 4, 1990, 5:30 p.m. [see Page 2].

Without objection it was so ordered by Mayor Geissert.

14. PERSONNEL MATTERS

14a. SUPPLEMENTAL MEMORANDUM OF UNDERSTANDING - TPSA

SUPPLEMENTAL #1

RESOLUTION NO. 90-166

RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF TORRANCE AMENDING RESOLUTION  
NO. 90-141 SETTING FORTH CERTAIN CHANGES  
REGARDING HOURS, WAGES, AND WORKING  
CONDITIONS FOR EMPLOYEES REPRESENTED BY  
THE TORRANCE PROFESSIONAL AND SUPERVISORY  
ASSOCIATION

MOTION: Councilman Nakano moved to adopt Resolution No. 90-166. His motion, seconded by Councilwoman Hardison, carried by unanimous roll call vote.

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15. HEARINGS

Considered together for purposes of a general overview...

15a. ZC 89-3, GPA 89-5, CUP 89-80, D 89-25 (EA 89-19) DANA JOHN MC KAY/DJM COMPANY

15b. ZC 89-4, GPA, 89-6, CUP 89-83, W 89-34 (EA 89-20) FRED ARKENBERG

Out of order...

15d. CUP 89-86, D 89-77, (EA 89-22) LAM DEVELOPMENT COMPANY, INC.

Because of their proximity to one another, Planning Associate Richardson provided a general overview of the above projects. Ms. Richardson noted that, in each instance, the Planning Commission and the Planning Department recommend denial of the appeals and approval of the projects.

Basic traffic improvements and projections were outlined by Traffic Manager Vance with clarification regarding aspects of the CALTAP Traffic Report provided as requested.

Mayor Geissert opened the formal hearings on each of the above three cases which were considered individually as follows.

15a. ZC 89-3, GPA 89-5, CUP 89-80, D 89-25 (EA 89-19): DANA JOHN McKAY/DJM COMPANY

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-2 (Heavy Manufacturing) to C-3 (Solely Commercial), a General Plan Amendment from Public/Quasi-Public/Open Space to Retail Commercial, a Conditional Use Permit to allow the construction and operation of two fast food restaurants and the construction of a 12,000 square-foot retail/restaurant building and a Division of Lot to allow a two-lot subdivision on property located at 2300 Crenshaw Boulevard. ZC 89-3, GPA 89-5, CUP 89-80, D 89-25: DANA JOHN McKAY/DJM COMPANY.

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

Planning Associate Richardson and Senior Principal Planner Gibson provided clarification regarding aspects of this proposal as requested by individual members of Council.

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Concerns voiced included percentage of space devoted to food use; access from Shery High School; overall circulation pattern; driveway access and parking accessibility for the rear building [Building C]; etc.

The applicant, Mr. Dana John McKay, 24050 Madison Street, described the subject project, including the proposed traffic circulation pattern as illustrated on a drawing [copies submitted for the record]. During his presentation Mr. McKay described a cooperative agreement with Southern California Regional Occupational Center [SCROC] involving utilization of their security guards; he also noted their attempts to address the compatibility of the proposed retail use with adjacent Wilson Park.

Modification of the following conditions was requested.

Condition #22, regarding the installation of "smog hogs" for food operations involving frying -- Mr. McKay requested deletion of this condition, explaining that this device has been found to be unreliable and ineffective.

Condition #23, regarding hours of operation for food operations, Mr. McKay requested that the In-and-Out Burger [Parcel A] be allowed to operate until 1:00 a.m. weekdays [instead of midnight] and until 1:30 a.m. on weekends [instead of 1:00 a.m.]

Responding to Councilwoman Hardison's comparison of this project with an existing retail center east of Western Avenue [outside the City of Torrance], the applicant maintained that problems at that location are related to a proliferation of fast food restaurants [four on the site], additional food related uses in the retail buildings, and insufficient on-site parking. Councilwoman Hardison voiced her concern that the subject location could become highly food related. She also expressed her opinion that such operations would not represent quality training opportunities for SCROC students.

Next to speak from the audience was Mr. Merv Munson, Senior Vice President of Keenan and Associates, 2355 Crenshaw Boulevard [directly across the street from the subject project], who related the need for food service establishments in the area.

Ms. Claudia Boyd, In-and-Out Burger [no address given], offered her opinion that their facility would represent training opportunities for SCROC students.

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Ms. Janet Payne, 1318 Engracia, expressed strong concerns regarding the project as proposed, and discussed: on-site traffic circulation problems, SCROC security guards on this site, non-enhancement of SCROC programs by In-and-Out Burger, overall problems with fast food facilities immediately adjacent to schools, and problems related to restaurants open until 1:30 a.m. next to a regional park.

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

Council discussion ensued.

Councilman Wirth compared the subject proposal to the existing McDonald's and Taco Bell adjacent to Walteria Park and the apparent absence of problems in that area. Mr. Wirth voiced his general support of this project with the appropriate handling of trash and litter problems and also with consideration given to hours of operation for the fast-food operations [earlier hours of closing in effect at the Walteria location]. Mr. Wirth made it clear that his support of this proposal does not necessarily mean he will support the other two projects in this area to be considered tonight.

Councilman Applegate voiced concerns relative to the large number of food uses proposed for this site and the potential for an accumulation of such uses on all three of these sites under consideration this evening [15a, 15b, and 15d]. He expressed concerns regarding the late hours of operation and perpetual odors emanating from the food uses. Mr. Applegate deemed the subject proposal to be an attractive nuisance because of its placement in close proximity to the schools and nearby Wilson Park, which he pointed out is unfenced and "wide open" as opposed to the situation at Walteria Park.

An opposing opinion was expressed by Councilman Walker, who judged that the food uses proposed for this particular project would likely fulfill a need for many people in the area -- parents with children at the park, as well as business people in the vicinity. He also pointed out that, per staff, certain traffic improvements proposed would [if approved] contribute toward an improved overall traffic situation.

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Councilman Nakano described this proposal as unique in that several fast food outlets are proposed at the same time. Further, Mr. Nakano pointed out that the location is near schools and adjacent to a large park which presents problems not demonstrated in a neighborhood park such as Walteria.

Serious concerns regarding incompatibility were expressed by Mayor Geissert regarding the placement of a very concentrated fast food center immediately adjacent to two schools and a park. Mrs. Geissert stated that, when approached earlier by SCROC and by a Board Member of the Torrance Unified School District regarding the possibility of commercial use on this site, she had suggested a very low intensity use -- something compatible with skills being taught at SCROC, but also aesthetically pleasing, such as a preschool.

MOTION: Councilman Applegate moved to grant the appeal and deny the project without prejudice. The motion was seconded by Councilwoman Hardison and carried by way of the following roll call vote.

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

NOES: Councilmen Walker and Wirth.

\* \* \*

At 9:50 p.m., Mayor Geissert declared a recess. The Council returned at 10:15 p.m.

\* \* \*

15b. ZC 89-4, GPA 89-6, CUP 89-83, (EA 89-20): FRED ARKENBERG

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-2 (Heavy Manufacturing) to C-3 (Solely Commercial), a General Plan Amendment from Low Density Residential to Retail Commercial, and a Conditional Use Permit to allow the construction of a 29,240 square-foot retail commercial center on property located at the northeast corner of Sepulveda and Crenshaw Boulevards. ZC 89-4, GPA 89-6, CUP 89-83: FRED ARKENBERG.

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

Specific questions by Councilmembers were addressed by Planning Associate Richardson, who advised that the developer has indicated a possible financial institution use for the corner lot [shown on the current submittal as "vacant"]; that perimeter landscaping and hydro-seeding will be required on that lot pending its development; and that the corner lot will be required to provide its own parking.

Addressing a concern expressed by Councilman Applegate, Deputy Police Chief Popp acknowledged that the proposed placement of the building on the northeasterly corner of the site which abuts residential would create an area inconvenient to patrol.

The proponent, Mr. Fred Arkenberg, 2601 Airport Drive. addressed the site plan, noting the placement of Building C to be in accordance with the desires of the adjoining residential neighbors to the east. Mr. Arkenberg noted efforts of staff/developers/neighbors to work out an appropriate solution to this area described by Mr. Applegate as "dead space".

It was the request of Councilman Applegate that when a specific site plan is returned for the corner lot, consideration be given to setting the building back and placing parking between the berm and the building itself.

There being no one else in the audience who wished to address this matter, Councilman Applegate moved to close the hearing. His motion, seconded by Councilman Walker, carried by unanimous roll call vote.

Councilman Wirth voiced his concerns regarding the ultimate utilization of the corner parcel -- location of the building; type of operation; etc. Mr. Wirth stated that he would be more comfortable considering the project when development of the corner parcel has been established.

Councilwoman Hardison stressed that development of that parcel is of the utmost concern to her -- a "fairly large building with underground parking" would not be desirable.

MOTION: Councilman Walker moved to concur with the recommendation of the Planning Commission to approve the project. The motion was seconded by Councilman Mock and carried by majority roll call vote [Councilman Wirth dissenting].

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ORDINANCE NO. 3309

AN ORDINANCE OF THE CITY COUNCIL OF THE  
CITY OF TORRANCE, CALIFORNIA, AMENDING  
DIVISION 9 OF THE TORRANCE MUNICIPAL CODE  
TO RECLASSIFY CERTAIN PROPERTY AT THE  
NORTHEAST CORNER OF CRENSHAW AND SEPULVEDA  
BOULEVARDS FROM M-2 (HEAVY MANUFACTURING)  
TO C-3 (SOLELY COMMERCIAL)  
ZC 89-4: FRED ARKENBERG

MOTION: Councilman Nakano moved to approve Ordinance  
No. 3309 at its first reading. His motion was seconded by Coun-  
cilwoman Hardison and carried by the following roll call vote.

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

NOES: Councilman Wirth.

RESOLUTION NO. 90-167

A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF TORRANCE, CALIFORNIA, APPROVING  
A CONDITIONAL USE PERMIT TO ALLOW THE  
CONSTRUCTION OF A RETAIL CENTER ON PROPERTY  
LOCATED IN THE C-3 ZONE AT THE CORNER OF  
CRENSHAW AND SEPULVEDA BOULEVARDS  
CUP 89-83: FRED ARKENBERG

MOTION: Councilman Nakano moved to adopt Resolution  
No. 90-167. His motion, seconded by Councilman Walker, carried  
as indicated below.

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

NOES: Councilman Wirth.

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RESOLUTION NO. 90-168

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, AMENDING THE LAND USE ELEMENT OF THE GENERAL PLAN ADOPTED AUGUST 29, 1974, BY RESOLUTION 74-194, TO REVISE THE DESIGNATION OF THE PROPERTY ON THE NORTHEAST CORNER OF CRENSHAW AND SEPULVEDA BOULEVARDS, FROM LOW DENSITY RESIDENTIAL TO COMMERCIAL/RETAIL FOR A RETAIL CENTER  
GPA 89-6: FRED ARKENBERG

MOTION: Councilman Nakano moved to adopt Resolution No. 90-168. This motion, seconded by Councilman Walker, carried by way of the following roll call vote.

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

NOES: Councilman Wirth.

Considered next out of regular agenda order...

15d. CUP 89-86, D 89-77, (EA 89-22): LAM DEVELOPMENT CO., INC.

Mayor Geissert announced that this was the time and place for City Council consideration of an appeal of a Planning Commission approval to allow the construction of a 3,000 square-foot food service building, a 6,000 square-foot retail building, a 6,000 square-foot restaurant building, a 15,000 square-foot medical building with ground level and subterranean parking and the remodeling of an existing car wash and a Division of Lot to allow the merger of three lots into two lots on property located in the C-5 zone at the southeast corner of Crenshaw and Sepulveda Boulevards (frontage along Crenshaw between Sepulveda and 227th Street). CUP 89-86, D 89-77: LAM DEVELOPMENT CO., INC.

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

Clarification regarding specific aspects of this proposal was provided by Planning Associate Richardson, following which the applicant was invited to address the Council.

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Mr. Albert Lam, 1401 Via Andres, Palos Verdes Estates, described his project and pointed out that, unlike the two proposals to the north [15a and 15b] his will be owner-occupied. He further deemed his project to be basically a "remodel".

Councilwoman Hardison offered her opinion that more parking is needed for the existing donut shop. She disagreed with the applicant's interpretation of this project as a "remodel" when there is currently 15,000 square feet of usage and the proposal is to add 12,000 square feet. As to Parcel #2 [medical use], Mrs. Hardison objected to the parking requirements for that parcel being entirely represented by tuck-under and subterranean parking. This was over-building, in her estimation.

Similar concerns were voiced by Councilman Applegate, who also challenged Mr. Lam's concept of a "low-use restaurant" for the site, which the applicant later explained to be lower frequency use than a fast-food facility. Setbacks for this proposed restaurant use, as well as the fact that the back of the building faces Crenshaw Boulevard, were further concerns addressed by Mr. Applegate.

Architect Jeff Smith, Chester Smith Associates, 22850 Crenshaw Boulevard, provided clarification relative to the overall project design and described details regarding setbacks, parking, landscaping, access, etc.

Mayor Geissert expressed some concern regarding enforcement problems associated with the proposal for right-turn only restrictions from the 227th Street driveway.

In response to a concern voiced by Councilman Applegate, Mr. Smith indicated that proposed building A could be modified to eliminate the design feature which extends to 26 feet in height.

There being no further audience comments, Councilman Applegate moved to close the hearing. His motion, seconded by Councilman Mock, carried by unanimous roll call vote.

A number of concerns related to this project as currently proposed were voiced by Councilman Wirth, such as the setbacks of the new corner building from the street, increased square footage, subterranean parking immediately across from R-1 property, density, etc.

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Councilman Walker suggested the possibility of continuing this agenda item in order that the applicant might work with staff in an attempt to reduce the size of some of the buildings, lowering the height where appropriate, configuring parking differently, etc.

Noting that she had appealed this item approximately one month ago, Councilwoman Hardison advised that she had not been contacted by the applicant since that time in order to discuss her concerns. She did not favor a continuance of the matter at this time.

MOTION: Councilwoman Hardison moved to grant the appeal and deny the project without prejudice. Her motion was seconded by Councilman Wirth.

Prior to roll call vote, Councilman Applegate voiced his desire that the matter be continued. He stated that his concerns include the size and setback of Building A, and his desire that the subterranean parking be eliminated. He indicated agreement with the City Manager's note [agenda material of record] regarding underground parking which has been denied in the Park Del Amo office development and "...would be precedent setting and could affect the degree of diversity in future developments."

A SUBSTITUTE MOTION was offered by Councilman Applegate to continue matter. This motion was seconded by Councilman Walker.

From the audience, Mr. Lam indicated his concurrence with a continuance.

Noting that she could not support the project as presented, Mayor Geissert stated that the setbacks on the corner of Sepulveda and Crenshaw Boulevards [Building A] present a major problem, as does the intensity of the medical use and the subterranean parking which she finds totally unacceptable across from single family residential use.

The above substitute motion for continuance FAILED TO CARRY as indicated by the following roll call vote:

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

The main motion for denial without prejudice carried by way of a unanimous roll call vote.

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\* \* \*

At 11:40 p.m., the City Council convened in joint session with the Redevelopment Agency of the City of Torrance.

During the joint City Council/Redevelopment Agency meeting, Item 15c from the City Council agenda was considered in conjunction with Agency Item 5a. The record of that joint hearing, as recorded in the Redevelopment Agency minutes of August 28, is incorporated in the following pages.

Companion City Council Item...

- 15c. City Council Consideration of an Ordinance Approving Amendment No. 1 to the Torrance Industrial Redevelopment Project Extending the Life of the Project and Allowing an Increase in the Amount of Tax Increment to be Taken from the Project and Related Resolutions.

Mayor/Chairwoman Geissert [hereinafter identified as Mayor] announced that this was the time and place for a joint meeting of the City Council of the City of Torrance and the Redevelopment Agency of the City of Torrance.

Councilman/Agency Member Nakano noted that he had had a financial interest in a limited partnership on a piece of property in the Redevelopment Area and, although his financial interest was divested as of January 2, he has been advised by the City Attorney that he should abstain on this particular issue. Mr. Nakano then absented himself from the Council Chambers.

Continuing her opening remarks, Mayor Geissert advised that the purpose of this meeting is to conduct a joint public hearing to consider and act upon the proposed Amendment No. 1 to the Redevelopment Plan for the Torrance Industrial Redevelopment Project.

In response to a question by the Mayor, City Clerk Bramhall acknowledged his possession of the affidavit of publication and certificates of mailing notice of this joint public hearing.

City Manager/Agency Executive Director Jackson [hereinafter identified as Executive Director] requested that the following documents be entered into the record of this joint public hearing at this time.

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- Exhibit "1"      Affidavit of publication of notice of joint public hearing on the proposed Amendment, published once a week for four successive weeks as required by Sections 33452 and 33458 of the California Health and Safety Code.
- Exhibit "2"      Certificate of mailing notice of joint public hearing on the proposed Amendment to each assessee of land in the existing Project Area, as shown on the last equalized assessment roll.
- Exhibit "3"      Certification of mailing notice of joint public hearing on the proposed Amendment to the governing body of each taxing agency which receives taxes from property in the Project Area.
- Exhibit "4"      Certification of Certain Official Actions that have been taken by the City Council and the Agency in connection with the proposed Amendment to the Torrance Industrial Redevelopment Plan.

Hearing no objections, Mayor Geissert directed that the above documents be made part of the record.

Mayor Geissert then opened the joint public hearing, noting that the State law under which the Council/Agency is acting is the Community Redevelopment Law of the State of California.

After making it known that a transcript will be made of the hearing, Mrs. Geissert instructed those who wished to make statements and give testimony as to the appropriate manner in which to proceed.

At the direction of Mayor Geissert, those members of the audience [Messrs. Egan and McKnew] and staff members [Messrs. Jackson and Bihn] who wished to testify at this hearing were duly sworn by City Clerk Bramhall.

The order of procedure was then outlined by Mrs. Geissert as follows:

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1. The staff will present the proposed Amendment, and evidence and testimony in support of the Amendment.
2. We will then receive any written comments.
3. We will then receive any evidence or oral testimony from those present concerning the Amendment.
4. Following the introduction of all evidence and testimony tonight, and upon the conclusion of the hearing, we will consider and act upon all objections and then act on the Amendment; provided, however, that if written objections to the proposed Amendment are received, we will not take final action to adopt the proposed Amendment until such written objections are considered and written findings in response to such objections are adopted.

Executive Director Jackson [having been duly sworn] affirmed that this joint public hearing is to consider evidence and testimony for and against the adoption of the proposed Amendment No. 1 to the Redevelopment Plan for the Torrance Industrial Redevelopment Project. He noted that evidence will be introduced for consideration of the City Council and the Agency in connection with the findings and determinations that will be made in the adoption of an ordinance amending the Redevelopment Plan.

City Attorney/Agency Counsel Nelson [hereinafter referred to as City Attorney] introduced Ms. Marcia Scully of the law firm of Sheppard, Mullin, Richter and Hampton, an attorney who has been advising the City on matters of Redevelopment Law.

Continuing, Mr. Nelson advised that the relevant findings are contained in Section 33367 of the Health and Safety Code and are generally as follows:

1. Implementation of the Redevelopment Plan, as amended by the proposed Amendment, will redevelop the Project Area in conformance with the Community Redevelopment Law and in the interests of public peace, health, safety and welfare.
2. The adoption and implementation of the proposed Amendment is economically sound and feasible.

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3. The Amendment conforms to the General Plan of the City of Torrance.
4. The carrying out of the Redevelopment Plan, as amended by the proposed Amendment, will promote the public peace, health, safety and welfare of the community and will effectuate the purposes and policies of the Community Redevelopment Law.
5. The proposed Amendment will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the redevelopment of the Project Area by private enterprise.
6. The effect of increasing the tax increment allocations to the Agency, as described in the Amendment, will not cause a significant financial burden or detriment on any taxing agency deriving revenues from the Project Area.

Mr. Nelson advised that there are other statements and determinations set forth in the proposed ordinance adopting the proposed Amendment to the Redevelopment Plan; however, the items above mentioned are the primary evidentiary findings.

Executive Director Jackson then introduced Mike Bihn of the Redevelopment Agency, and advised that Mr. Bihn will refer to and briefly summarize the content of the Report of Agency to the City Council regarding the Amendment, which includes reasons for the Amendment and is the basic supporting documentation for the ordinance adopting the Amendment. Mr. Jackson advised that Mr. Bihn's testimony will also supplement the facts contained in the Report and will be considered as part of the Report.

Senior Principal Planner Bihn [having been duly sworn] identified the material to be summarized by him to be Attachment 5 and included in the salmon colored volume -- the other five volumes of material, Mr. Bihn noted, include all of the information provided to the Fiscal Review Committee.

Mr. Bihn's presentation, aided by transparencies and slides, was substantially as follows:

The report on the proposed Amendment updates the original report to the City Council prepared in May, 1983, concurrent with the adoption of the Industrial Redevelopment Project. Since that time there have been some remarkable changes as a result of the Agency's

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efforts to redevelop this area. There are, however, still some outstanding items that need to be addressed if we are to fully achieve the goals and objectives of the Redevelopment Plan for the Industrial Project Area.

In 1983 a review of the conditions of buildings and parcels in the project area found that nearly half of the structures were suffering from substantial deterioration and dilapidation. It was also found that about half of the parcels in the area did not meet standards for parking, access, safety, landscaping and aesthetics. Since the adoption of the Redevelopment Plan for the Industrial Area, a number of these buildings and properties have been redeveloped.

This includes the 101 acre American Honda headquarters campus which replaced the aged US Steel plant and 46 other properties in various stages of deterioration in the area known as the 25 acres.

[From this point forward in Mr. Bihn's presentation, slides were projected where appropriate illustrating the result of redevelopment already accomplished and depicting areas in need of improvement.]

In addition to the American Honda project, Torrance Center I has replaced the dilapidated Torrance Tubing facility at Torrance Boulevard and Western Avenue with a modern research and development park.

Torrance Center II, is in the process of recycling the Armco Steel property to mixed use business park in place of an outdated steel fabrication facility that was located at Carson Street and Western Avenue.

A Yaohan Market, Miyako Hotel and an office building comprise the second phase which will get under way shortly.

[Overhead projections were interspersed, as appropriate, from this point].

While these changes have been substantial and important, there are still a number of properties that fall in the substandard category.

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Since most of the land in project area was subdivided prior to 1921, many of the lots and parcels in the area are also substandard. Some of these problems have been corrected by the projects mentioned earlier, but a continued effort is needed to correct these deficiencies throughout the project area.

A major impediment to effective redevelopment is the condition of the infrastructure in the project area -- streets, water mains, storm drains and sewers. Most of these facilities were determined to be substandard or to have outlived their theoretical life at the time the Industrial Redevelopment Project was initiated.

In conjunction with the American Honda and the Torrance Centers I and II projects, a number of infrastructure improvements have been accomplished. These include reconstruction of much of Van Ness Avenue adjacent to American Honda's headquarters; the reconstruction of 213th Street from Western Avenue to Cabrillo; and the completion of new streets in Torrance Center II. However, the remaining life of many streets in the project area is minimal and they will need to be rebuilt to modern standards.

In addition, both the American Honda project and the Torrance Center I and II projects included major sewer replacements that have enhanced the sewer system. Other proposed sewer projects that were part of the original project need to be carried out to achieve an adequate sewer system in the remainder of the project area.

These developments have also provided new water mains sized to modern standards. Other work has been accomplished in undergrounding utilities and storm drain improvements but there is still a portion of the project area in need of flood protection.

In many portions of the project area the number of jobs was found to be substantially less than expected at the time the plan was adopted. This reflected the aged and deteriorated nature of investment in the project area. The American Honda headquarters and the two Torrance Centers, along with other smaller projects are substantially improving the employment picture.

Some other benefits that have been expected to result from redevelopment include:

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- greater land use efficiency .
- increased property values
- increased revenues
- lower costs for public services and
- a revitalized economic base in the area for the benefit of property owners, business persons and employees.

To a large degree the Agency has been successful in achieving all these goals and providing all these benefits to the community. However, as pointed out, there is still a long way to go before the problems identified in the original plan are completely eradicated in the project area.

The goals of the Redevelopment Plan can most effectively be achieved if the Redevelopment Plan is amended to allow sufficient financing to carry out the remainder of the project and continue changing this aged and deteriorated industrial area into a modern, productive component of the community.

Hearing no objection, Mayor Geissert directed that the Report of the Agency be made part of the record along with the testimony just received.

Executive Director Jackson then referred to and briefly summarized the proposed Amendment No. 1 to the Redevelopment Plan for the Torrance Industrial Redevelopment Project as follows:

The Amendment:

1. Increases the real property tax increment allocable to the Agency to a cumulative total of \$90 million, or, if bonds are issued or reimbursement agreements are entered into with other public agencies, a cumulative total of \$180 million;
2. Increases the number of years after the date of the original adoption of the Industrial Redevelopment Plan within which the Agency may establish or incur loans, advances or indebtedness in whole or in part to finance the Project, to twenty years; and,
3. Extends the duration of the Redevelopment Plan to fifty years from the date of adoption of the original Industrial Redevelopment Plan.

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There being no objection, Mayor Geissert directed that the proposed Amendment No. 1 be made part of the record.

The Mayor then requested that any written comments received on the Amendment be placed into the record at this time. City Clerk Bramhall identified the following documentation as part of the record:

- Correspondence dated August 28, 1990 [replacing that dated August 27, 1990] from the legal firm of Brown, Winfield and Canzoneri;
- Correspondence dated August 28, 1990, from the Office of the County Counsel of Los Angeles County.

Mayor Geissert stated that the written comments and objections would not be responded to tonight. She anticipated that written responses to the written comments would be adopted at the next Council meeting on September 4, 1990, at 5:30 p.m., and thereby directed staff to assist the Council in the review and preparation of written responses to the written comments and objections.

Oral testimony in favor of the Amendment was invited by the Mayor. There was no response.

Oral testimony in opposition to the Amendment was then invited.

Affirming that he had been duly sworn, Mr. Thomas McKnew, partner in the law firm of Brown, Winfield and Canzoneri, 300 South Grand Avenue, Los Angeles, was present representing Mr. Walter J. Egan, 1889 Torrance Boulevard.

Mr. McKnew related his client's objections which he acknowledged were set forth in his correspondence dated August 28, 1990 [entered into the record earlier in this hearing].

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After providing background information, Attorney McKnew advised that beginning in 1983 Mr. Egan maintained, and continues to maintain, that the Agency and the City have failed to do an Environmental Review that meets the standards set forth by the California Environmental Quality Act [CEQA].

It was suggested by Mr. McKnew that if the project is to be amended by extending the time, environmental changes or the facts that have become known since early in 1980 must also be considered, as well as the fact that there may still be substantial environmental degradation of the land within the project area. Concerns of the County were also referenced by this speaker.

Factors involving the attempted taking of Mr. Egan's property were described by Mr. McKnew, who recommended that an Environmental Review be initiated assessing whether there are substantial environmental impacts that have not been addressed, and then that those impacts be addressed.

Executive Director Jackson and City Attorney Nelson affirmed that a written report in response to the written documentation submitted will be provided at next week's meeting.

Next to speak was Mr. Walter J. Egan [duly sworn], 1889 Torrance Boulevard. Mr. Egan provided copies of a newspaper article from the Los Angeles Times dated July 19, 1990, entitled "Torrance May Borrow to Complete Renewal Project."

Quoting various portions of this article, Mr. Egan addressed the question of revenue generation, maintaining that Honda's warehousing, research and computer facilities do not generate revenue. Mr. Egan requested that he be provided a copy of documentation revealing a comparison of tax revenues generated.

Executive Director Jackson advised that there are inclusions in the report itself on the economic base of the Redevelopment Agency, specifically on property tax increments that have been achieved through redevelopment to this date and extensions of anticipated sales tax monies, as well as increases in employment. Mr. Jackson further explained the achievement of tax increases beyond those anticipated with the original start of the project.

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Documentation requested by Mr. Egan was noted by the Executive Director to have been available in the City Clerk's office for the past thirty days. A copy of this documentation was provided to Mr. Egan at this time. Mr. Jackson also indicated that, if there are any additional specific questions, the City's Finance Director can "walk through" specific revenue anticipations related to the Industrial Redevelopment Area for Mr. Egan's benefit.

Returning to the newspaper article above referenced and submitted, Mr. Egan offered his opinion regarding "low cost property", "land deals", etc. Clarification was provided by Executive Director Jackson and Mayor Geissert.

At this time, Mr. Egan submitted a second newspaper article entitled, "County Still Fighting Redevelopment Project Funding" [the newspaper from which the article came and the date of the article were not provided]. Referencing this article, Mr. Egan alluded to the possibility that there had been favoritism -- "sweet deals".

City Attorney Nelson deemed the direction of the discussion to have strayed rather widely from the purposes of this hearing, whereupon Mr. Egan addressed his remarks to the fact that he holds an option on the street behind his property -- Mullins Avenue -- and asked why that street has not been abandoned.

Executive Director Jackson advised that this is not pertinent to the issue before the City Council/Redevelopment Agency tonight and, although noting that he could meet with Mr. Egan to discuss that matter, he acknowledged that there is existing condemnation and litigation action involving that property.

Following a continuing exchange, City Attorney Nelson advised that the subject being pursued by Mr. Egan is a matter of current litigation and should be held for the proper forum which is the Court.

Mayor Geissert then invited further testimony and questions. There being no response, Mr. Applegate MOVED to close the hearing. His motion was seconded by Mr. Walker and roll call vote was unanimously favorable [Mr. Nakano ABSTAINED].

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Following direction by the City Attorney, action was taken as indicated below.

MOTION: Council/Agency Member Applegate moved to direct the Agency Staff to prepare written responses to the written objections for consideration at the next regular Agency and Council meetings on September 4, 1990. The motion, seconded by Councilman/Agency Member Mock, carried by unanimous roll call vote [Mr. Nakano ABSTAINED].

\* \* \*

Mr. Nakano returned to the Council Chambers at this time.

\* \* \*

At 12:45 a.m. [Wednesday, August 29, 1990] the August 28 meeting of the Redevelopment Agency was formally adjourned and the Council met as the Cable Television Public Access Foundation.

The meeting of the Foundation was formally adjourned at 12:47 a.m., and the regular City Council agenda order was resumed.

\* \* \*

16. APPEALS

16a. APPEAL OF AIRPORT NOISE HEARING BOARD DECISION

Continued to September 4, 1990 - see Page 2.

17. ADMINISTRATIVE MATTERS

17a. LEGISLATION RE CABLE TELEVISION REREGULATION

RECOMMENDATION:

It is the recommendation of the Cable Television Administrator that the City Council not support Senate Bill 1880 and House of Representatives Bill 5267, and that letters to that effect be sent to the appropriate legislators.

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MOTION: Councilman Wirth moved to concur with the above recommendation of the Cable Television Administrator. His motion, seconded by Councilman Walker, carried by unanimous roll call vote.

20. CONSENT CALENDAR

20a. CONTRACT FOR PROFESSIONAL LEGAL SERVICES

RECOMMENDATION:

It is the recommendation of the City Attorney that your honorable body approve: 1) The agreement with Hedges, Powe and Caldwell for professional legal services to pursue the litigation entitled City of Torrance vs. Protective National Insurance, et al., Los Angeles Superior Court Case No. BC 3418; 2) Appropriation of \$250,000 from the litigation reserve to cover the costs of the lawsuit.

20b. Considered separately - see below.

20c. SELECTION OF FINANCIAL ADVISOR

RECOMMENDATION:

The City Treasurer and the Finance Director recommend the approval of the contract, in substantially the form submitted, with Rauscher Pierce Refsnes, Inc. as the City's financial advisor in the amount of not-to-exceed \$25,000 for time and materials for general financial advice, \$25,000 plus expenses for competitively placed original issues, and \$30,000 plus expenses for negotiated refunding issues.

MOTION: Councilman Applegate moved to concur with staff recommendations on Agenda Items 20a and 20c. His motion, seconded by Councilman Mock, carried by unanimous roll call vote.

Considered separately...

20b. FY 1990-91 TDA CLAIM FOR TRANSIT FUNDING ASSISTANCE

RECOMMENDATION:

The Department of Transportation recommends that your honorable body adopt the resolution authorizing the submission of a claim for Local Transportation Funds

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under the Transportation Development Act (SB 325) for \$3,155,000 in operating funds and \$44,000 in capital funds during FY 1990-91.

RESOLUTION NO. 90-169

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING THE CITY MANAGER TO FILE A CLAIM WITH THE LOS ANGELES COUNTY TRANSPORTATION COMMISSION FOR SB-325 LOCAL TRANSPORTATION FUNDS DURING FY 1990-91

MOTION: Councilman Nakano moved to adopt Resolution No. 90-169. His motion, seconded by Councilwoman Hardison, carried by unanimous roll call vote.

22. ORAL COMMUNICATIONS

22a. City Manager Jackson requested that the Council adopt a resolution extending the Torrance Police Officers compensation.

RESOLUTION NO. 90-170

A UNILATERAL RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING RESOLUTION NO. 89-176 SETTING FORTH CERTAIN CHANGES REGARDING HOURS, WAGES, AND WORKING CONDITIONS FOR EMPLOYEES REPRESENTED BY THE TORRANCE POLICE OFFICERS ASSOCIATION

MOTION: Councilman Nakano moved to adopt Resolution No. 90-170. His motion, seconded by Councilman Walker, carried by unanimous roll call vote.

22b. City Attorney Nelson noted that a settlement has been worked out in the case of Francisco Yuri vs. City of Torrance, et al., Los Angeles Superior Court Case SWC 96625, and he recommended that the Council accept that settlement [see City Council minutes of August 21, 1990, Executive Session Matters].

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

22c. Councilman Applegate expressed appreciation to all of those who worked to make the recent City picnic a "wonderful success."

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22d. Councilwoman Hardison noted her enjoyment of the employee picnic.

22e. Councilman Nakano commented on his recent travels.

22f. Mayor Geissert acknowledged the tremendous success of the employees' picnic.

22g. Mayor Geissert requested that staff pursue problems related to use of the Wilson Park parking lot for private automobile sales. Director of Transportation Horkay will follow through.

23. EXECUTIVE SESSION

23a. EXECUTIVE SESSION MATTERS

Mayor Geissert read the following statement into the record.

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

- Pending litigation entitled Patrick Coyle and Nancy Coyle vs. City of Torrance, et al., Los Angeles Superior Court Case No. C 719953.

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

At 12:55 a.m., the City Council recessed to executive session, returning at 1:20 a.m.

24. ADJOURNMENT

At 1:20 a.m., this meeting of the City Council was formally adjourned to Tuesday, September 4, 1990, 5:30 p.m.

# # # # #

Peggy Laverty  
Minute Secretary

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Mayor of the City of Torrance

ATTEST:

  
Clerk of the City of Torrance

Peggy Laverty  
Minute Secretary

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