

I N D E X

Council Meeting held December 5, 1967, 5:30 p.m.

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Torrance, California  
December 5, 1967

MINUTES OF A REGULAR MEETING  
OF THE TORRANCE CITY COUNCIL

OPENING CEREMONIES AND PRESENTATIONS:

1. CALL TO ORDER:

A regular meeting of the Torrance City Council was held at 5:30 p.m., Tuesday, December 5, 1967, in the Council Chambers of City Hall.

2. ROLL CALL:

Those responding to roll call by City Clerk Coil were: Councilmen Beasley, Lyman, Miller, Sciarrotta, Talbert, Vico and Mayor Isen. Absent: None. City Clerk Coil, City Treasurer Rupert, City Attorney Remelmeyer and City Manager Ferraro were also in attendance.

Mayor Isen spoke of the community's grief at the death of Richard (Tiny) Thompson, a Torrance police officer for fifteen years, and extended the Council and Staff's sympathy to his family. At the conclusion of the invocation the meeting stood in a moment of silence in his memory.

3. FLAG SALUTE:

At the request of Mayor Isen, Orin P. Johnson led the salute to the flag.

4. INVOCATION:

Chaplain Gary Rippstein of the Torrance Police Department is the December Minister of the Month and he opened the meeting with an invocation of divine guidance.

Mayor Isen welcomed a student from an El Camino Political Science class to the meeting and offered the services of Staff for any information she may wish.

STANDARD MOTIONS:

5. APPROVAL OF MINUTES:

The minutes of the November 28th meeting will be held until the December 12th meeting for approval.

6. APPROVAL OF DEMANDS:

Councilman Beasley moved all properly audited bills be paid. His motion was seconded by Councilman Sciarrotta and carried as follows:

AYES: COUNCILMEN: Beasley, Lyman, Miller, Sciarrotta,  
Talbert, Vico and Mayor Isen.

NOES: COUNCILMEN: None.

7. MOTION TO WAIVE FURTHER READING:

Councilman Sciarrotta moved that after the Clerk has given a number and read title to any resolution or ordinance on tonight's agenda, the further reading thereof be waived, reserving and guaranteeing to each councilman the right to demand the reading of any such resolution or ordinance in regular order. The motion, seconded by Councilman Beasley, carried by unanimous roll call vote.

Mayor Isen asked for a report on the litigation regarding the Vietnam Summer parade request and at the suggestion of City Attorney Remelmeyer, Senior Deputy City Attorney Knickerbocker, reported that Judge Nutter denied the Writ of Mandamus and the injunction. The net result is that there will be no parade on Hawthorne Boulevard on December 16th. The License Review Board of the City of Torrance did grant the right to a permit on December 17th on the Torrance Boulevard parade route, or on Christmas Day, or any Sunday in January. One of the conditions would be payment of a \$500 fee which the Judge concluded to be proper. Mr. Knickerbocker said Judge Nutter was very vituperative in berating the American Civil Liberties Union for not attending the hearing on the parade permit held at the Torrance City Hall on November 30th.

There is a right of appeal within ten days of the date of filing of the written findings of fact and conclusions of law, which both sides are to prepare.

PLANNING AND ZONING HEARINGS:

8. APPEAL OF CUP67-29, EMIL J. ZIRBES: Request to allow the construction and operation of a McDonald's carry-out restaurant on the south-east corner of Pacific Coast Highway and Ocean Avenue. Approved, subject to conditions by the Planning Commission. Recommended for denial by the Planning Department.

Affidavit of Publication was presented by City Clerk Coil and, there being no objection, ordered filed.

This being a public hearing, Mayor Isen asked if anyone wished to be heard.

Mr. Luigi Salvaneschi, 24202 Stanhurst, Lomita, said there had been approval a year ago for a similar operation by McDonald's, but in the middle of the block, by both the Planning Commission and the Council. However, it was decided it was not exactly the right location and the Company decided not to establish their place of business at that time. Now, the proposal is right at the corner with a plot plan and proper landscaping and all other requirements dictated by the City. The area residents were personally contacted and their reaction was favorable, they would like to see the disappearance of the old beer bar at that corner and the beautification of the block. Mr. Salvaneschi had obtained a statement with 159 signatures of affected property owners in favor of McDonald's operation at the subject site and he presented it for the record. He said the company is willing to comply with all the requirements and hoped the Council will favor their appeal.

City Clerk Coil accepted the statement for filing and mentioned a letter received from Ernest Rapp approving the request.

Dorothy Tinney of 3855 Pacific Coast Highway spoke in favor of the operation. She has a sportswear store across the street and said the business people adjacent to her shop are also in favor of McDonald's. She spoke also of the danger to children at this corner and the advisability of removing the beer bar. She could not understand any adverse opinion as to McDonald's compared with what is now there.

Mr. Charles Franklin, 1800 North Broadway, Santa Ana, said he would be negotiating the sale if one takes place and referred to a letter from Mr. Cake, the owner of the land on which Latitude 20 is located, favoring the location of McDonald's here. Also that some doctors own the property at the northeast corner of the intersection where there is a small shopping center leased to Bower and Levitt. He offered to submit correspondence with Bower and Levitt having to do with negotiations for a lease of the property they own, or rather have under lease.

Mr. Franklin stated Bower and Levitt would like to have McDonald's on their property. In the three or four years he has been working with Mr. Zirbe's property, McDonald is the only responsible tenant who has made an offer.

Councilman Beasley asked about the driveway onto Ocean Avenue but Mr. Franklin does not represent McDonald's in this way; it is not within his province.

Councilman Sciarrotta moved to close the hearing; Councilman Beasley seconded and there was no objection.

Mr. Salvaneschi said he believed the two driveways in front and one in back would obviate any problems in this 45 mph area of the highway.

When the McDonald application was before the Council some time ago, Mayor Isen said he voted against it and now, with a great number of the conditions then imposed removed, it has come back. Planning Director Shartle said a condition at that previous time was that the beer bar be removed; now the application is for that very corner, with a proposed access to Ocean Avenue. There is also a question regarding parking space now being used by Kiddyland. The present location does not go as far east as did the former application.

At the suggestion of Mayor Isen, Chief Koenig of the Police Department made a statement. He said in the view of the Police Department, any business that is legal has a right to operate and all he can do is to report the police problems which are involved. If there were no problems, there would need to be no police department. The carry-out restaurant operation, he considers to be troublesome and there will be traffic problems and many complaints from residents and from the operation itself about trouble-making customers. These are built-in problems of these carry-out operations and he can only hope for sufficient manpower to cope with them. At any rate he does not anticipate it would be any more troublesome than the present operation at this corner.

These are some of the problems that cause the conditional use permit requirement for carry-out restaurants, Mayor Isen said. It is a similar type situation to that presented before, but now the Planning Department has recommended no access to Ocean Avenue, while the application asks for that access.

Councilman Beasley moved to concur in the recommendation of the Planning Department - to deny the conditional use permit. Councilman Vico seconded.

Councilman Talbert's opinion was not that McDonald's would create these police problems; they would merely suffer from an existing condition. He asked if there would be any property in between A & W Rootbeer and McDonald's or if they would abut.

Mr. Emil Zirbes of 21103 Donora Avenue, the applicant owner, said there would be a strip of land in between about 100 feet, or less, and he has no plans as yet for that land. Kiddyland has always been a problem and he plans that it be taken out after the first of the year if the deal with McDonald's is consummated. Mr. Shartle explained that Kiddyland has been there a long time and the only parking it has is on land that would be a part of the McDonald operation; there would then be no parking left for Kiddyland. Mayor Isen said there should be a clear definition in this respect as a condition to the use permit. There is evidently no specified parking for Kiddyland.

Councilman Sciarrotta was principally concerned with the increased traffic in a residential area and asked how extensive it would be. Mr. Shartle said there is already a problem with traffic and parking on Ocean Avenue. McDonald's would not lessen that problem, in this predominantly apartment house neighborhood.

Councilman Vico stressed the traffic problems and said he voted against it before and will again, unless there can be some assurance that Kiddyland will go. Mr. Zirbes said when the escrow is completed, he will gladly guarantee that Kiddyland will go. At the suggestion of City Manager Ferraro, Mr. Zirbes firmly stated that he would consider the elimination of Kiddyland as a condition. Before a building permit is issued for McDonald's he will raze Kiddyland. However, further discussion indicated Mr. Zirbes might sell that land for some other use.

There are always conditions to these operations, Councilman Miller pointed out and he asked Mr. Shartle to name some of the businesses which could go on this C-2 property which would be less desirable than McDonald's. Mr. Shartle said he could not think of any use which would create more traffic than a drive-in hamburger stand.

In the opinion of Mayor Isen who is very familiar with this property, this is an unfortunate break for Mr. Zirbes, but public interest comes first. The whole area should be master planned - A & W Root Beer certainly will not be there forever, nor will Kiddyland. The conditional use permit process is for the purpose of eliminating this sort of problem which could not be worse than at Pacific Coast Highway and Ocean Avenue. The residents may be in favor of this now, but when, or if it goes in, that apathy they now show will disappear and there will be many complaints. He also referred to the perpetual game of "chicken" which goes on at this corner in trying to dart across the highway between traffic in the use of Ocean as a substitute for Hawthorne Boulevard. To compound an almost impossible present problem with a drive-in restaurant especially with such loose conditions as are here presented, he cannot believe is tenable. This would be a monster which Torrance would live to regret.

Councilman Miller described the corner in detail and asked if a McDonald's cannot go here, where can it go in Torrance.

Obviously Ocean is a bad street, Councilman Talbert said and he asked what the plans are for its improvement. Public Works Director Nollac said as soon as the storm drain work is completed the north-east corner can be straightened out. A cut-off corner is needed at Latitude 20; the curbs have to be moved back. There are no curbs on the east side all the way to 242nd Street. There has evidently been no application for a signal at the intersection in question.

McDonald's is a legitimate business, Councilman Talbert said, and the fact that kids will roar out of this place in cars is not the responsibility of the councilmen; it is the responsibility of their parents. As to the traffic, he does not feel a legitimate business should be jeopardized because the City has not been able to provide for parking. He did not believe the arguments presented have been valid to deny the conditional use permit. Kiddyland would have to go and there should be a determination if 47 spaces are adequate for parking. Mr. Shartle said that is more than adequate according to the ordinance.

The motion was to concur in the recommendation of the Planning Department - not the Planning Commission - and thus a "Yes" vote is for denial. Roll call vote was:

AYES: COUNCILMEN: Beasley, Lyman, Sciarrotta, Vico  
and Mayor Isen.

NOES: COUNCILMEN: Miller and Talbert.

Mr. Zirbes said, in answer to a question by Mayor Isen, that the A & W Root Beer lease still has twenty years to go; it was originally for twenty-five years.

9. VARIANCE 67-21, PIONEER THEATRES, INC., L. D. GASTEIGER, PRESIDENT: Request for variance to the provisions of the C-3 zone to allow the addition of an office to the existing building at the Radium Theatre located at 2500 Redondo Beach Boulevard. Recommended for approval by the Planning Commission and Planning Department.

Affidavit of Publication was presented by City Clerk Coil and, there being no objection, ordered filed.

Mayor Isen asked if anyone wished to be heard; there was no response.

Councilman Sciarrotta moved to close the hearing; his motion was seconded by Councilman Beasley and carried, there being no objection.

Councilman Sciarrotta moved to concur in the recommendation of approval. His motion was seconded by Councilman Lyman and carried by unanimous roll call vote.

10. VARIANCE 67-19, MAR-LOMA, INC.; Harry Eiszler, Secretary-Treasurer. Request for variance to the provisions of the off-street parking ordinance to allow construction of an office building with less than the required number of parking spaces, at 310 Vista Del Mar. Recommended for approval subject to conditions by the Planning Commission. Recommended for denial by Planning Department.

Affidavit of Publication was presented by City Clerk Coil and, there being no objection, ordered filed.

Mayor Isen inquired if anyone wished to be heard; there was no response.

Councilman Vico moved to close the hearing; Councilman Lyman seconded and there was no objection.

Councilman Talbert asked about the alley; he had a call several months ago from a tenant who had been told the alley would be completed and he would have easy access. The alley has not been completed. Public Works Director Nollac said the City does not pave alleys; that would be the responsibility of the abutting property owners. Councilman Lyman asked what authority Mr. Nollac is quoting in this statement that the City does not pave alleys. It is council policy, Mr. Nollac said, and a condition is that the applicant must pave not only in back of his property, but up to the existing paving to the north, or to the south. Every time a building goes in, Mr. Talbert said, there is this question regarding the alley and he asked what the solution would be. Councilman Miller said it could go in through an assessment district. The Planning Commission has asked the Planning Department to try to coordinate some means of accomplishing it.

Councilman Beasley said one of the lots, he believes it is Lot 30, is owned by an out of state owner who has no intention of developing it. He favored an assessment district as probably the only solution.

Mayor Isen proposed that this case be continued for thirty days pending this attempt by the Planning Department. Councilman Lyman added that it might be referred to the Public Works Committee and Councilman Talbert moved that the case be referred to the Public Works Committee of the Council and continued for thirty days. Councilman Sciarrotta seconded and there was no objection.

Mr. Jack Remington, one of the architects and future owners of this development asked concerning the alley and was advised to confer with the Public Works Committee at its meeting at 7:30 on Thursday evening. The item may be back on the agenda before thirty days if some solution is reached.

PLANNING AND ZONING MATTERS:

11. Communication from Planning Director Shartle re Wechsler property at corner of Artesia Boulevard and Van Ness Avenue.

The communication transmits supporting material for the official appeal of Division of Lot case No. 67-23, although Mr. Shartle said it is not clear to Staff whether the Council still desires to so appeal.

City Attorney Remelmeyer said Mr. Wechsler had been notified and he had designated his son as his attorney. The Wechslers disclaim any responsibility for the lot split and deny Mr. Lefebvre had any authority to apply on behalf of Harker Development Company.

Mayor Isen moved to refer Item 11 to the Planning Commission to inquire into other types of zoning - possibly C-R would be more appropriate. Councilman Beasley seconded.

City Attorney Remelmeyer recommended that since this is an appeal on a lot split, that should be denied also.

Councilman Miller did not think anything should be done at this time - why not leave it C-3 until he meets the requirements? Mr. Remelmeyer said there is a better chance of making the conditions "stick" with C-R than with C-3.

The motion to send the item back to Planning Commission for further study carried as follows:

AYES: COUNCILMEN: Beasley, Lyman, Sciarrotta, Talbert,  
Vico and Mayor Isen.  
NOES: COUNCILMEN: Miller.

Councilman Beasley moved to deny the lot split. Councilman Lyman seconded and roll call vote was unanimously favorable to denial.

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On motion of Councilman Sciarrotta, seconded by Councilman Beasley, a recess was declared to hold the Redevelopment Agency meeting. The Council returned to its agenda at 6:50 following a general recess.

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STREETS AND SIDEWALKS:

12. PRAIRIE-MADRONA THROUGH MOBIL OIL REFINERY - Communication from City Attorney.

Councilman Beasley moved to concur in the recommendation of City Attorney Remelmeyer that the condemnation suit be authorized and filed when the appraisal is completed and it has been determined whether a viaduct or surface road will be constructed and the Council has appropriated the necessary gas tax funds to finance the project.

Mayor Isen disagreed because he said if the suit is filed now and trial is had within a year, the price would have been established. However, Mr. Remelmeyer explained it is too difficult to get to trial within a year. Councilman Sciarrotta repeated the motion made by Councilman Beasley and Councilman Beasley seconded.

Councilman Talbert inquired as to when the appraisal is scheduled and was told by Public Works Director Nollac that Dr. Lockhart, the expert, plans to have his findings about the 15th and they will be incorporated into the appraiser's report which should be complete right after the holidays.

There was no objection to the motion and Mr. Nollac is to keep the Council advised of progress.

SEWERS AND DRAINAGE:

13. EXPENDITURE FROM SEWER REVOLVING FUND: Recommendation of Public Works Director that \$1,000 be appropriated from the Sewer Revolving Fund for construction of sanitary sewer in 188th Street easterly of Prairie Avenue.

Councilman Beasley moved to concur in the recommendation of the Public Works Director and his motion, seconded by Councilman Lyman, carried as follows:

AYES: COUNCILMEN: Beasley, Lyman, Miller, Sciarrotta, Talbert, Vico and Mayor Isen.

NOES: COUNCILMEN: None.

TRAFFIC AND PARKING:

14. PROPOSED RESOLUTION re parking on the east side of Ocean Avenue.

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

RESOLUTION NO. 67-272

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE REPEALING RESOLUTION NO. 67-228 WHICH AMENDED ARTICLE III OF RESOLUTION 63-33 TO PROHIBIT PARKING AT A CERTAIN LOCATION.

Councilman Sciarrotta moved to adopt Resolution No. 67-272 and his motion, seconded by Councilman Lyman, carried by unanimous roll call vote.

FISCAL MATTERS:

15. CLAIM OF SANDRA M. DON against the City for vehicle damage resulting from accident occurring on Gran Via Altimar Drive, Palos Verdes Estates on August 15, 1967. Recommendation of City Clerk to deny and refer to City Attorney.

16. CLAIM OF DONALD AND JOHN ELLIS against the City for property damages arising out of an accident that occurred August 23, 1967 at intersection of Viana Avenue and Pacific Coast Highway. Recommendation of City Clerk to deny and refer to the City Attorney.

As to both Items 15 and 16, Councilman Lyman moved to concur in the recommendation of the City Clerk. Councilman Vico seconded and there was no objection.

17. EXPENDITURES OF OVER \$300.

Councilman Beasley moved to approve the following seven listed expenditures:

A. Budgeted:

1. \$564.38 to Western Highway Products for 250 "No Parking - Tow Away" signs requested by Traffic and Lighting Department.
2. \$389.76 to Gymnastic Supply Co. for ten only tumbling-type mats requested by the Recreation Department, to be paid for from the Recreation Activity Fund.
3. \$711.06 to J. Jones Co. for 300 3/4 inch couplings; 100 3/4 inch 90 degree couplings; and 18 2 inch angle valves requested by the Water Department for stock as needed.
4. \$18,491.90 to Motorola Communications and Electronics for 17 police vehicles radios and 5 motorcycle radios requested by the Police Department as part of their mobile radio new and replacement program. Nineteen radios will be traded in as a part of this total amount.

B. Reimbursable:

5. \$301.88 to A B C Nursery for two 30 inch boxed trees and one 20 inch boxed tree requested by the Park Department as replacement for damaged City trees. Billings and collection for recovery of amount is in process from persons who incurred the damage.

C. Special:

6. \$17,439.56 to Carl J. Leibel Co. for 2806 books, adult non-fiction, as requested by City Librarian - subject to mutual agreement that payment will be made only from the proceeds of authorized 1967 Library bonds scheduled for sale early in 1968.
7. \$550 to Putnam's-Coward-McCann-John Day, c/o Henry C. Channing, for 360 assorted adult and juvenile title books which will be released as a special review to City Librarian for Torrance Library System.

Councilman Lyman seconded and roll call vote was:

AYES: COUNCILMEN: Beasley, Lyman, Miller, Sciarrotta,  
Talbert, Vico and Mayor Isen.  
NOES: COUNCILMEN: None.

18. NOTICE OF COMPLETION OF INSTALLATION OF RUGS AND DRAPERIES AT CITY HALL: Recommendation of Director of Building and Safety that work be accepted and payment to contractor authorized (B & H Carpet Company in the amount of \$7,192.57).

Councilman Sciarrotta moved to accept the work and make the payment as recommended. His motion was seconded by Councilman Lyman and carried as follows:

AYES: COUNCILMEN: Beasley, Lyman, Miller, Sciarrotta,  
Talbert, Vico and Mayor Isen.  
NOES: COUNCILMEN: None.

BUS SYSTEMS:

19. City Council Bus Committee's report on offer of SCRTD to purchase Torrance Municipal Bus System, with additional data concerning the assignment of personnel.

Councilman Beasley moved to concur in the recommendation stated on page 2 of the report:

1. The ordinance amending the Civil Service regulations to provide for reassignment of the bus operators be approved in principle by the Council and transmitted to the Civil

Service Commission for their consideration in accordance with legal procedure.

2. The resolution approving and authorizing the execution of a Purchase Agreement for the sale of the Torrance Bus System to the SCRTD.

3. Reaffirm the Council's approval of the six points listed in the Committee's recommendation since specific approval was not recorded in the minutes of November 21st.

Councilman Lyman seconded and there was a long discussion, the gist of which follows:

J. Walker Owens, Manager of the Torrance Chamber of Commerce, said the Chamber's Board of Directors would like to have a voice in this matter, but were unable to consider it at their recent meeting.

In the opinion of Councilman Sciarrotta the Committee has ironed out the problems very well; all the personnel will be placed and the City will retain control of the system for two years, during which he believes the SCRTD will upgrade the system. He suggested that the City Treasurer reinvest the \$110,000 which will be received from the sale of the present buses until such time as a decision is made two years from now. Mayor Isen asked, in the event the decision is to keep the system two years from now, what will be done to acquire buses again; \$110,000 will not go far toward such a purchase.

Councilman Lyman outlined the myriad different methods which have been studied over the years in an effort to make the bus system satisfactory - all to no avail, evidently. In the meantime, the Bus System is building up an enormous deficit, and there seems no likelihood that it will lessen. Several years ago when there was an attempt to sell the system to the Transit System, he said they would not even receive it as a gift. Everything in the power of the Committee has been done to insure that the bus department employees will be taken care of. The committee has spent many hours on this and what has resulted is the best possible plan.

Councilman Beasley pointed out the necessity in the near future of replacing many of the buses if the system is not sold; the equipment is steadily deteriorating and he considers elimination of the system, as elimination of a deficit.

Sam Hunegs was present and Councilman Talbert asked him if the proposal for handling the bus system employees is satisfactory to him as an employee representative. Mr. Hunegs answered that he has raised a technical question with City Attorney Remelmeyer and Mr. Remelmeyer said a slight amendment of the ordinance would be made based on Mr. Hunegs' request, before the ordinance goes to the Commission.

On questioning by Councilman Vico, Assistant City Manager Scharfman repeated the main points of the proposed transaction and the dollar amounts involved. A specific question was asked by Councilman Vico: the third year if the City still wants the same route, how much will it have to pay SCRTD? Mr. Scharfman said it would be whatever sum an audit by the City's own auditors would show to be their loss. The control by the City would be simply as to the routes themselves; the cost would be up to the SCRTD with audit by the City's auditors. There would be no control over that cost, as such, by the City.

This was a new thought to Councilman Miller and additional questions by him developed that the cost to the City after the two years have passed would be to the extent that the City wishes to maintain the routes and thus subsidize the SCRTD. Councilman Sciarrotta asked if

conceivably that amount could exceed \$100,000 and was told "Yes", depending on several factors beyond the control of the City: cost of fuel, bus drivers' salaries, depreciation on buses and the fare structure. They could raise fares to help compensate for increased costs - all these factors are unpredictable. On the other hand the Council can reduce the service demanded, or can relinquish the entire operation.

Mayor Isen voiced serious considerations to be faced and stated that the mere fact that a committee has been meeting and discussing does not necessarily lend virtue to an enterprise. If there were a practical way to accomplish the transfer, he would approve, but he had never considered that the City would be giving the SCRTD an annual subsidy. Under the present conditions of SCRTD having to ride shotgun on some of its lines, it seems a very poor time to be making any such deal. He compared figures which refuted a newspaper article statement that the system loses \$110,000 a year. For instance this year, it is \$80,000, where as it would be costing \$85,600 if this scheme were in operation this year. He believes the City can forget any idea that they would be receiving the same service under SCRTD that they are getting under the municipal system. The Bus Superintendent has not been asked to conduct a study of what is being proposed, especially as to the time element of the route schedules - the actual time it would take a passenger to get to a destination. Surely Marshall Chamberlain could do this, but no one seems to be very interested.

If other such propositions go to the Charter Review Committee, why should not this? He questioned the fairness of Section 5: "provided, however, that such employee must meet the education and experience requirement of the position to which he is to be assigned; and provided further, that such reassignment shall take precedence over appointment from any eligible list." Mayor Isen's prediction is that three years from now, Torrance will be faced with the same old problem, but with no buses, and the Council will be called upon to reinstate the bus system for travel within the City boundaries. Many people, for various reasons, occasionally must rely on public transportation, even within the city.

An opinion asked for by the Council has not yet been furnished by City Attorney Remelmeyer as to the legality of transferring the bus system. Mayor Isen doubted its legality and wondered how a court of law would view an annual subsidy to another political entity.

Exercising his prerogative as Mayor, Mayor Isen said until such matters are determined, he would resist this deal to the extent of not signing any ordinance or bill of sale until directed to do so by a court, in order to protect the City Treasurer and the Finance Department as well as the Council itself. He said he would request if the Council decides ultimately to eliminate the bus system, that adequate impartial counsel be furnished so the case can be fairly presented to a court of proper jurisdiction. Mayor Isen then repeated serious hesitancy as to the effect on the Civil Service system, as to the validity of the contract, as to the payment of the subsidy to the SCRTD and as to the legality of sale of the system.

Subsidies paid by other cities comparable in size to Torrance were then discussed, based on a question by Councilman Miller who said his chief concern is whether or not money will be saved. He quoted from the City Manager's communication figures which seemed to have some discrepancy. The difference of \$16,000 has to do with the purchase of new buses, Mr. Ferraro said. Councilman Lyman said the Committee has restricted any such anticipated expenditures in the light of pending negotiations.

Again, Councilman Miller pointed out that this is the first time there has been any alternative as to disposing of the buses one way or another, although every year there is the same controversy. The subsidy of \$70,000 per year for two years would be a necessity and he does not believe it is realistic to believe that after two years it would go to \$100,000. Some comparable cities do not have any bus lines; at least Torrance has a bus lines system and now has an alternative. Only about 1200 or 1500 people a year really use the bus lines, according to Management and the cost is \$80,000. Certainly, there would be conditions attached to any sale - certainly, this is a financial matter.

Clarification was asked by Councilman Sciarrotta, a member of the Committee, as to the cost after the two years, if the routes are to stay "as is" - not expanded. The answer was, there would be no cost.

Councilman Vico asked if this bus line can be sold without its being voted on by the people. Mr. Remelmeyer says he believes it can; there was a lawsuit many years ago in which the parties plaintiff prevented the sale of the bus line to a private corporation. The Attorney for the SCRTD believes the law has changed so that would no longer have any bearing; and Mr. Remelmeyer also believes this, but before the sale is consummated the attorneys plan to obtain court approval so there will be no question of validity of the sale.

Is there any case in which a City has paid a subsidy in connection with the so-called sale of a bus system, Mayor Isen asked. Councilman Lyman said it is a privilege the City is being afforded - no other City has sold a system and retained any control over it. The City would pay only to the extent that they wish to exercise control. Without subsidies, Councilman Miller reminded the Council, bus lines go bankrupt. Here, there is an alternative which other comparable cities have not enjoyed.

Rather than a privilege, Mayor Isen said he believes the City is being a "patsy"; this is a matter of individual opinion. He cautioned Councilman Sciarrotta that with respect to an intra-city route, for instance from downtown to Waltheria, if the City wishes to maintain that route, it will have to pay for it or any other routes they wish to retain. He maintains there is a lot of loose talk going around about this transaction. Mr. Remelmeyer confirmed Mayor Isen's statement about the within the city routes.

A specific question by Councilman Miller was: Would SCRTD buy this bus line without any subsidization, outright, assuming all responsibility and running it as they wish, without any payment of \$70,000 or anything? He does not believe they will.

Councilman Lyman said "Yes, but at the same price. There is the two-year period in which Torrance has control; they would take the whole thing over but there would not be any less cost to Torrance. The way it is planned would give Torrance an opportunity to see how it works out. The Torrance Bus System is not the only bus system that operates within Torrance. Greyhound and RTD both have good lines running through Torrance on preferred routes - they have been and are making money. What is left for Torrance lines are the routes that do not pay off. RTD would do better by running the lines Torrance is now running because they already have other routes which are making money within the City. Torrance tried to establish a route through Hollywood Riviera and the Redondo Beach Pier but it was necessary to get approval of these other lines - on this subject, they learned of the "good" routes covered by these other lines.

Because of these profitable runs, RTD would be able to operate the system to better advantage. At the end of two years, perhaps it would cost only \$25,000 and Torrance could have the runs they want. The \$70,000 is paid to maintain the right to make the decision on the years that follow the first two.

Mr. William Jennings Bryan Hughes, 1318 Madrid Avenue, who was the plaintiff in the court case twenty-five years ago, came forward and traced the progress of that case through the Superior Court, the Appellate Court and the Supreme Court of the State of California. He won that case at all levels. He said it was based on Act 5203 Deering's General Laws which provides that a public utility cannot be disposed of without a two-thirds vote of the electorate and then only after the governing body has voted by two-thirds majority to submit it to them. The case was submitted by a two-thirds vote of the Torrance City Council to the electorate and the sale was overwhelmingly defeated. Mr. Hughes said he is not a bus rider, but the system was established at a critical time of national emergency when Pacific Electric abandoned the City and people were left stranded. He offered to answer any questions and did so. The company which was trying to get ahold of Torrance's bus system was run by a Mr. Coors, the son of the owner of Crown Top and Body Company in Pasadena and they were trying to get control of other bus systems also. The progress through the various courts, to eventual victory, took four and one-half nerve-wracking years.

City Attorney Remelmeyer said he and Mr. McKay, attorney for the SCRTD, do not believe the law applied to the Hughes case is now applicable because Torrance has become a charter city. He believes it is within the power of SCRTD to purchase the line and that the Court would so hold. At any rate before the sale is consummated and Mayor Isen signs the papers, the court's approval will be obtained by declaratory judgment.

Mayor Isen asked if he would be entitled to independent counsel furnished and paid for by the City and Mr. Remelmeyer said he would arrange this if it is the wish of the City Council. Councilman Lyman asked if he too would be furnished counsel. Mayor Isen said the last thing he would want would be any appearance of collusive activity and this would be his reason for asking for independent counsel.

Mr. Dale Cushman, 4806 Carmelynn, said there has been no satisfactory answer as to whether or not this would be handing over the system to a monopoly. Eventually, he believes Torrance bus system would pay out because of the many lines that are planned for various parts of the County. This system in Torrance would feed into those lines.

Councilman Miller asked if it is financially feasible to conduct this type of public transportation within a local community; does it not have to coordinate with the larger system? Councilman Beasley said the State created a monopoly by setting up the rapid transit district.

Mr. Ray Saukkola, President of the Torrance City Employees' Association, said the Association's concern is that any employees who leave the Bus Department and transfer to other City departments do not receive any special preference over other employees. Mayor Isen said according to the ordinance's wording which he quoted earlier, Mr. Saukkola's concern is well-founded. Mayor Isen furnished his copy of the ordinance to Mr. Saukkola and it was commented that the ordinance will be considered by the Civil Service Commission at its next meeting.

Mr. Milton Eddy, 23032 Samuel Street, Apartment 21, said he had taken the examination for Jailer under the impression that it was an open competitive examination. He then took the oral examination and received an announcement of where he stood on the list. Then from the

newspaper he learned that possibly the jailers would be chosen from bus drivers because of this proposed sale of the system. He asked the Council if the positions would be filled by people who took the examination - if the examination was "Open", "Promotional", or what? Mr. Remelmeyer said his office would investigate this phase immediately and it would be before the Civil Service Commission.

Mr. Philip Joseph, President of Torrance Police Officers Association, asked, if the people on the list are bypassed in this instance, why it is not always done this way. He specifically asked that the question be referred to the Civil Service Commission. Mr. Remelmeyer told him it will be before the Civil Service Commission at its next meeting. Mr. Joseph joined in Mr. Saukkola's protest.

Mr. Saukkola had now read the ordinance and stated the people in question would not even have to have performed similar type of work; just meet the general education requirements and salary schedule. This would amount to special treatment in going from the Bus Department to other departments. He did not approve of this as being good civil service practice. Eventually the ordinance will come back to the Council and Mr. Saukkola said if the Council adopts it in its present form the employees' association will protest. At any rate they will be represented at the Commission and the Council meetings which consider it.

Mr. Hunegs did not think this is the time or place to go into these matters. It will be on the Civil Service Commission agenda. He did not like the inference that certain employees would be getting special treatment.

Councilman Sciarrotta asked for the question on the motion which was to concur in the three recommendations set forth on page 2 of the City Manager's report and repeated in these minutes. Councilman Talbert seconded the motion made by Councilman Beasley and roll call vote was:

AYES: COUNCILMEN: Beasley, Lyman, Miller, Sciarrotta,  
Talbert

NOES: COUNCILMEN: Vico and Mayor Isen.

Councilman Lyman moved to consider the resolution for the sale, subject to final passage by the Civil Service Commission of the ordinance. Councilman Beasley seconded.

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

RESOLUTION NO. 67-273

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE APPROVING AND AUTHORIZING THE EXECUTION OF A PURCHASE AGREEMENT FOR THE SALE TO THE SOUTHERN CALIFORNIA RAPID TRANSIT DISTRICT OF THE TORRANCE MUNICIPAL BUS LINES AND APPROVING AND AUTHORIZING THE EXECUTION OF THE ANCILLARY BILL OF SALE AND ASSIGNMENT OF CONTRACTS.

Councilman Lyman moved to waive further reading of Resolution No. 67-273 and his motion, seconded by Councilman Beasley, carried by unanimous roll call vote.

Councilman Lyman moved to adopt Resolution No. 67-273 and his motion, seconded by Councilman Beasley, carried as follows:

AYES: COUNCILMEN: Beasley, Lyman, Miller, Sciarrotta,  
Talbert.

NOES: COUNCILMEN: Vico, Mayor Isen.

It was stated this is subject to Court decision and passage of the ordinance.

A recess was declared in order to turn the tape for recording the meeting and the Council returned to its agenda at 8 p.m.

SECOND READING OF ORDINANCES:

20. ORDINANCE NO. 1828.

At the request of Mayor Isen, City Clerk Coil presented for second reading, and read title to:

ORDINANCE NO. 1828

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE ADDING CHAPTER 9 TO DIVISION 9 OF THE TORRANCE MUNICIPAL CODE TO PROVIDE SCHEDULES OF FEES FOR PROCESSING CHANGES OF ZONE, VARIANCES, CONDITIONAL USE PERMITS, PRECISE PLANS, WAIVERS, SUBDIVISIONS AND DIVISIONS OF LOTS.

Councilman Sciarrotta moved to adopt Ordinance No. 1828 at its second reading and his motion, seconded by Councilman Talbert, carried by unanimous roll call vote.

21. ORDINANCE NO. 1829:

At the request of Mayor Isen, City Clerk Coil presented for second reading, and read title to:

ORDINANCE NO. 1829

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE REPEALING SECTION 33.5.10, ENTITLED "COIN-OPERATED WASHING MACHINES AND CLOTHES DRYERS", AND ARTICLE 14, SECTIONS 33.14.1, 33.14.2, and 33.14.3, ENTITLED "SELF-SERVICE LAUNDRY" OF THE TORRANCE MUNICIPAL CODE, AND SUBSTITUTING THEREFOR SECTIONS 32.1.26, ENTITLED "ROUTE OPERATOR, COIN-OPERATED LAUNDRY MACHINES", AND 32.1.27, ENTITLED "SELF-SERVICE LAUNDRY".

Councilman Beasley moved to adopt Ordinance No. 1829 at its second and final reading. His motion was seconded by Councilman Vico and carried as follows:

AYES: COUNCILMEN: Beasley, Lyman, Sciarrotta, Vico.

NOES: COUNCILMEN: Miller, Talbert and Mayor Isen.

22. ORDINANCE NO. 1830:

At the request of Mayor Isen, City Clerk Coil presented for second reading, and read title to:

ORDINANCE NO. 1830

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING THE FOLLOWING SECTIONS OF THE TORRANCE MUNICIPAL CODE, EACH OF WHICH REGULATES COMMISSION MEETINGS AND FAILURE OF COMMISSIONERS TO ATTEND: SECTION 13.1.6 (PLANNING COMMISSION), SECTION 13.2.6 (PARK AND RECREATION COMMISSION), SECTION 13.3.6 (LIBRARY COMMISSION), SECTION 13.4.6

(AIRPORT COMMISSION), SECTION 13.5.6 (WATER COMMISSION), SECTION 13.6.6 (CIVIL DEFENSE AND DISASTER COMMISSION), SECTION 13.7.6 (TORRANCE BEAUTIFUL COMMISSION), SECTION 13.8.6 (YOUTH WELFARE COMMISSION), SECTION 13.9.6 (TORRANCE SAFETY COUNCIL), SECTION 13.10.6 (CIVIL SERVICE COMMISSION) AND SECTION 13.11.6 (PARKING PLACE COMMISSION).

Councilman Sciarrotta moved to adopt Ordinance No. 1830 at its second and final reading. His motion was seconded by Councilman Beasley and carried by unanimous roll call vote.

23. MEADOW PARK URBAN RENEWAL ESCROWS:

Councilman Miller announced his intention to abstain from voting on this matter because of some business relationship of his office with one of the property owners.

City Manager Ferraro gave a brief synopsis of the matter to be here considered and which is set forth in his communication delivered to the Councilmen at this time. His recommendation is:

1. That \$69,000 of general funds proposed for the 1967-68 Capital Improvement Program be advanced to the Community Redevelopment Agency Administrative Fund for urban renewal land acquisitions.
2. That the attached resolution be adopted authorizing the City Manager to execute escrow instructions for the acquisition of certain properties.

Mr. Ferraro explained that the moneys will be given back to the General Fund just as soon as a check now being processed from the Federal Government is received. Mr. Wheeler has been in San Francisco hand-carrying this item through the office there and has informed Mr. Irwin by telephone that the check is in the amount of \$2,476,000 and will probably reach Torrance not later than Monday.

The three cases asked to be completed at this time are genuine hardship cases for which escrows are to be closed tomorrow. The other property owners have agreed to wait for their money.

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

RESOLUTION NO. 67-274

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING THE CITY MANAGER TO EXECUTE ESCROW INSTRUCTIONS FOR THE PURCHASE OF CERTAIN REAL PROPERTY FROM SERGE P. ACOSTA AND DONATO G. NAYGAN, WALLACE F. STEINHILBER AND FRANKLIN HOWE IN THE MEADOW PARK URBAN RENEWAL AREA.

Councilman Lyman moved to dispense with further reading of Resolution No. 67-274 and his motion, seconded by Councilman Sciarrotta, carried by unanimous roll call vote.

Councilman Sciarrotta moved to adopt Resolution No. 67-274 and his motion, seconded by Councilman Lyman, carried as follows:

AYES: COUNCILMEN: Beasley, Lyman, Sciarrotta, Talbert,  
Vico and Mayor Isen.

NOES: COUNCILMEN: None

ABSTAIN: COUNCILMEN: Miller.

24. RE GRANT DEED FROM C. N. CAKE TO PORTION OF BLOCK 9, WALTERIA: Recommendation that the City Council accept the offer of C. N. Cake to grant to the City of Torrance a certain parcel of property on the south side of Newton Street westerly of Hawthorne Boulevard.

The parcel being offered is about one-quarter of an acre. Councilman Beasley moved to concur in the recommendation and accept the grant deed. Councilman Sciarrotta seconded and roll call vote was unanimously favorable.

25. CITY ATTORNEY'S OPINION NO. 67-51, POLITICAL ACTIVITIES OF EMPLOYEES.

Mr. Remelmeyer asked that this opinion be made a part of the record. Councilman Talbert moved to refer the opinion to the Council Finance Committee which worked on the Civil Service ordinance. Mayor Isen thought it would be sufficient for the record to show that copies were distributed to each of the councilmen. Whether or not it should be referred to any one can be determined after they have studied it. There was no objection.

26. Chief Koenig of the Police Department exhibited a small aerosol can, part of a consignment which was confiscated this afternoon by the Police Department. This substance - a particularly virulent type of gas - is manufactured, processed and distributed up and down the coast to supply demonstrators. If a person's eyes are contacted by the substance, Chief Koenig said it could cause blindness and the only remedial substance would be castor oil or olive oil. Water only aggravates the condition which would result. The police confiscated approximately \$20,000 worth of these aerosol containers. Their unauthorized sale is a felony. Chief Koenig said it is only one of the dangers to which police personnel are subjected and he indicated these might be used in an unscheduled demonstration in Torrance which is anticipated before long.

27. City Clerk Coil asked the Council's pleasure regarding a meeting on December 26th which is traditionally dark. Councilman Lyman moved that the Council not hold its meeting which would ordinarily fall on December 26th. Mayor Isen seconded and roll call vote was unanimously favorable.

28. City Treasurer Rupert referred to the Western Pipe cases before the Attorney General regarding price fixing. The State prevailed and about \$5,000,000 is being distributed to some of the cities who had purchased pipe. A check had been received by the City of Torrance the amount of which is \$12,700 in settlement of its claim of a portion thereof.

29. Treasurer Rupert also said the litigation regarding the Thomas Wooldridge case has been settled and the City is holding \$1,145.04 which is due to Sgt. Wooldridge, in trust. Some action by the Council is needed to release the money. City Attorney Remelmeyer asked that the payment be held pending signing of a Stipulated Judgment. Mr. Knickerbocker said the stipulated judgment has been submitted to the attorney for the Police Officers Association. Lt. Fischer, one of the directors of the Association said this should be accomplished within the next week. Mayor Isen suggested that it be delivered at the time Sgt. Wooldridge might prefer from the standpoint of taxes.

Councilman Miller exhibited the arm or sleeve insignia being considered for Crossing Guard Sergeant.

30. Treasurer Rupert's third communication was with respect to the Transient Occupancy tax which was passed about two years ago and which exacts a 4% which was in line with the sales tax at that time. With the increase in sales tax to 5% there should be a corresponding increase in the Transient Occupancy tax to that percentage which would result in added revenue of about \$6500 per year. He recommended that the City Attorney be instructed to draft a proper amendment to the ordinance to so increase the tax to 5%. Councilman Beasley so moved and Mayor Isen seconded. There was no objection.

31. Mr. Ken Janssen, 24255 Ocean Avenue, referred to the property he owns on Madison Avenue and representation by a City Hall staff member to a potential customer that the land is unbuildable. The problem, he said originated between a previous Assistant City Manager and the previous owner. Councilman Beasley said there is no such thing as an unbuildable lot, although it may have many restrictions. Mayor Isen advised Mr. Janssen to make an appointment to talk with Public Works Director about this, or better yet, attend the meeting of the Public Works Committee of the Council on Thursday evening of this week, at 7:30 p.m.

The meeting was regularly adjourned at 8:20 p.m.

*Vernon W. Coil*  
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Vernon W. Coil, Clerk of the  
City of Torrance, California

APPROVED:

*Albert Isen*  
\_\_\_\_\_  
Mayor of the City of Torrance