

I N D E XCity Council - December 17, 1968 - 5:30 P.M.

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Adjourned at 7:15 P.M. to Monday, December 30, 1968, 8 P.M.

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December 17, 1968

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 on Tuesday, December 17, 1968, at 5:30 P.M. in the Council Chambers at Torrance City Hall.

2. ROLL CALL:

Responding to roll call by City Clerk Coil were: Councilmen Miller, Sciarrotta, Uerkwitz, Wilson, and Mayor Isen. Councilman Johnson arrived at 5:35 P.M. Absent: Councilman Beasley.

Also present were City Manager Ferraro, City Attorney Remelmeyer, City Treasurer Rupert, and City Clerk Coil.

* * * *

On behalf of the City Council, Mayor Isen at this time wished a Merry Christmas and a Happy New Year to all -- the audience, Administration, Staff, and employees.

* * * *

3. FLAG SALUTE:

Mr. Bob Collins, at Mayor Isen's request, led in the salute to the flag.

4. INVOCATION:

Reverend Edward L. Hughes, Walteria Assembly of God Church, opened the meeting with an invocation.

STANDARD MOTIONS:

5. APPROVAL OF MINUTES:

Mayor Isen referred to the minutes of November 26, 1968, Page 18, Item 41, last paragraph: "Mayor Isen commented that he will be on the committee - morale beware!" Mayor Isen requested that "morale beware!" be stricken; it is without meaning and was not stated thusly.

Councilman Sciarrotta moved that the minutes of the regular meeting of November 26, 1968, as above corrected, and the minutes of the regular meeting of December 3, 1968 be approved as written. His motion was seconded by Councilman Miller, and there were no objections.

6. APPROVAL OF DEMANDS:

Councilman Uerkwitz moved that all properly audited demands be paid. His motion, seconded by Councilman Sciarrotta, carried, as follows:

1. Council Minutes
December 17, 1968

AYES: COUNCILMEN: Miller, Sciarrotta, Uerkwitz,
Wilson, and Mayor Isen.

NOES: COUNCILMEN: None.

ABSENT: COUNCILMEN: Beasley, Johnson (had not yet arrived
at the meeting)

7. MOTION TO WAIVE FURTHER READING:

Councilman Uerkwitz 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 Sciarrotta, carried by unanimous roll call vote (Absent: Councilman Beasley).

8. COUNCIL COMMITTEE MEETINGS:

A meeting of the Council Goals Committee on December 23, 1968, at 4:00 P.M. in the Council Chambers was noted.

PRESENTATIONS:

With considerable pleasure, Mayor Isen, on behalf of the City Council, presented Miss Sharon Kay Terrill, Miss California 1968, with both a permaplaque resolution and a regular resolution congratulating her on the commendable accomplishment of being Miss California 1968, as well as winning the \$1000 Talent Award at Atlantic City in the "Miss America" contest.

Next acknowledged by Mayor Isen, on behalf of the Council, were the achievements of Mr. Mel Wagers, five times president of the Senior Citizens Club, by way of resolution, with permaplaque to follow.

Pacific Telephone Company's community contribution in staging the "Community Jamboree" in Torrance was acknowledged by Mayor Isen in the presentation of a permaplaque resolution, with Mr. Jim Conn accepting same on behalf of his company.

(Taken at this time:)

COMMUNITY AFFAIRS:

40. RESOLUTION congratulating J. Walker Owens on being named President-elect of the California Association of Chamber of Commerce Executives and expressing appreciation for his outstanding representation of the City.

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

RESOLUTION NO. 68-280

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE CONGRATULATING J. WALKER OWENS ON BEING NAMED PRESIDENT-ELECT OF THE CALIFORNIA ASSOCIATION OF CHAMBER OF COMMERCE EXECUTIVES AND EXPRESSING APPRECIATION FOR HIS OUTSTANDING REPRESENTATION OF THE CITY OF TORRANCE.

Councilman Wilson moved for the adoption of Resolution No. 68-280; his motion, seconded by Councilman Johnson, was unanimously approved by roll call vote (Councilman Beasley absent).

Mr. Owens expressed his appreciation to the Council for this honor.

Councilman Wilson then MOVED that Resolution No. 68-280 be permaplaqued. His motion was seconded by Mayor Isen, and roll call vote was unanimously favorable (Councilman Beasley absent).

* * * *

(In an effort to expedite the heavy agenda, regular agenda order was dispensed with by Mayor Isen at this point.)

BUILDINGS, STRUCTURES, AND SIGNS:

24. Preliminary Plans of the City Hall Addition presented by Earl Heitschmidt and Associates, Architects.

Mr. Wendell Mounce, Earl Heitschmidt and Associates, exhibited the preliminary plans of the City Hall addition, with particular attention directed to the Council Chambers. Reservations were expressed regarding the acoustical ceiling proposed; the likely need for minor changes was acknowledged as well.

MOTION: Councilman Sciarrotta moved to approve the preliminary plans as presented and the payment for such plans as prescribed in the contract, and authorize the work to continue to complete construction drawings, with some reservations as to the number of seats and the ceiling, as well as any minor changes that might come up. The motion was seconded by Councilman Johnson, and carried, as follows:

AYES: COUNCILMEN: Johnson, Miller, Sciarrotta, Uerkwitz,
Wilson, and Mayor Isen.
NOES: COUNCILMEN: None.
ABSENT: COUNCILMEN: Beasley.

26. EXTENSION OF ANZA AVENUE: Proposal submitted by J.F. & B. Development Company re: Acquisition by the City of property needed. Transmittal re: acquisition from City Manager and City Attorney.

With the aid of a graphic sketch, City Attorney Remelmeyer outlined the proposed transaction regarding the extension of Anza Avenue and the acquisition of property necessary to accomplish this.

Representing J.F. & B. Development Company, Mr. Alvin F. Howard, attorney, 3345 Wilshire Boulevard, Los Angeles (Telephone: 381-2216) explained that the property under discussion is being purchased for substantially more than the \$2.00 per square foot price offered the City, and outlined as well the financial burdens represented by the many conditions imposed by the City in the construction of multiple dwellings requiring a conditional use permit.

Mr. Remelmeier then outlined the negotiations which have resulted in the tentative agreement before the Council, deeming the \$2.00 per square foot an equitable arrangement. At Mayor Isen's question, City Attorney Remelmeier voiced his unequivocal recommendation as to the fairness and reasonableness of the subject offer; City Manager Ferraro, in response to a similar question from the Mayor, advised they are without qualms as well, having been assured the property is below market value. Mr. Ferraro added that the City has the right-of-way to the south of Pacific Coast Highway to bring Anza down to Newton Street.

MOTION: Councilman Johnson moved that the City accept the offer, at \$2.00 per square foot, of approximately 18,000 feet of the property which lies easterly of the median line of Anza, (the portion shown in red on the sketch), with an area of approximately 11,200 feet (the green portion of the sketch) being dedicated in connection with the conditional use permit, and in connection with the sale and transfer of the subject property, all to be done together. The motion was seconded by Councilman Sciarrotta, and roll call vote was unanimously favorable (Absent: Councilman Beasley).

NON-CONTROVERSIAL ITEMS:

(Item #10 considered separately.)

9. CLAIM of Herbert P. Leach for vehicle damage on November 25, 1968. Recommendation of City Clerk that said claim be DENIED and referred to the City Attorney.
11. CLAIM of Phyllis Patterson for traffic collision on October 2, 1968, at Madrona and Carson. Recommendation of City Clerk that said claim be DENIED and referred to the City Attorney.
12. Award of Contract - City Vehicles 1968-69 (B68-59).
13. BUDGETED, REIMBURSABLE, AND SPECIAL EXPENDITURES IN EXCESS OF \$300:
 - A. BUDGETED:
 1. \$393.75 to Los Angeles Police Revolver and Athletic Club for 25,000 rounds of used (fired once) ammunition brass requested by the Police Department for reloading purposes to be used on the pistol range.
 2. \$417.69 to Western Water Works Supply Company for twelve only 4x6-inch repair clamps as requested by the Water Department for water line service as needed.
 3. \$548.10 to Southland Machine Corporation for one only double diaphragm pump requested by the Water Department for use in their operations.

4. \$398.53 to J.Jones Company for 200 3/4-inch iron pipe couplings and twelve only 1½" gate valves requested by the Water Department for stock "as needed".
5. \$374.72 to Shepherd Machinery Company for miscellaneous repair parts needed for one of our Caterpillar Graders (Unit #968) which is down, as requested by the City Garage.
6. \$319.13 to Downey Mower & Saw Company for one only "Lo-Blo" air broom requested by the Park Department for park maintenance.
7. \$446.97 to Industrial Electric for 36 1000-watt flood lamps requested by the Traffic & Lighting Department as replacement lamps at City park playgrounds.
8. \$400.26 to Econolite Corporation for two major traffic signals replacement pieces requested by the Traffic and Lighting Department for upgrading the signal near the Calle Mayor School.
9. \$659.40 to Joslyn Pacific Company for ten posts mounted mercury luminaires requested by the Traffic and Lighting Department for the Columbia Park lighting equipment.

B. REIMBURSABLE:

10. \$403.73 to Hersey-Sparling Meter Company for one only all bronze 2" C.I. water meter with check valves on main and intermediate flow lines as requested by the Water Department. Payment for this service has already been received from General Telephone.
11. \$816.90 to Pacific States, Incorporated for 200 feet 10" cast iron pipe requested by the Water Department for the Union Oil service of which payment has already been received.
12. \$321.51 to Park-Son, Incorporated for six 10" pipe fittings requested by the Water Department for the Union Oil water service. Payment for this service has already been received.
13. \$662.50 to Park-Son Incorporated for four water valves and fittings requested by the Water Department for the Union Oil Service main extension. A deposit for this portion of the service has been received.

C. SPECIAL EXPENDITURES - Library Books requested by the City Librarian:

14. \$6082.91 to Carl J. Leibel, Incorporated for 407 juvenile, 1051 adult books and 9 reference books.
15. \$308.91 to Random House Publishing Company, c/o Harry Rinehimer, for 64 juvenile and 12 adult fiction and non-fiction books.

16. \$368.55 to Doubleday & Company, c/o John Thorne, for 47 juvenile and 34 adult books.
17. \$317.65 to G.P. Putnam's Sons for 37 adult and 7 juvenile books.
18. \$409.87 to Stechert-Hafner for 107 adult fiction and non-fiction books.
19. \$465.01 to Reader's Choice for 1192 paperback books and five steel bookracks.
20. \$682.50 to Garrett Press for 87 volumes of American Short Story Series.
21. \$537.60 to Bill Gaudet of Bowman Publishing Company for eight sets of books, as follows:
- 5 sets Picture Story Set
 - 1 set "Myself"
 - 1 set "My Family"
 - 1 set "Other People Around Me".

MOTION: Councilman Sciarrotta moved for the approval of Items 9, 11, 12, and 13. His motion was seconded by Councilman Johnson, and carried, with roll call vote as follows:

AYES: COUNCILMEN: Johnson, Miller, Sciarrotta, Uerkwitz,
Wilson, and Mayor Isen.

NOES: COUNCILMEN: None.

ABSENT: COUNCILMEN: Beasley.

10. CLAIM of Mrs. Cheryl Strong for broken water line on October 30, 1968. Recommendation of City Clerk that said claim be denied and referred to the City Attorney.

It was the recommendation of Councilman Johnson that this claim be expedited; accordingly, he MOVED for special consideration on Item #10. The motion was seconded by Mayor Isen, and roll call vote was unanimously favorable (Councilman Beasley absent).

STREETS AND SIDEWALKS:

18. Sidewalk Repair and Maintenance Report from City Manager:

The City Manager's recommendation for further study by the Council and presentation at pre-Council session was noted. Councilman Miller MOVED that the subject report be held for pre-Council discussion at 7:00 P.M. on January 14, 1969. His motion was seconded by Councilman Wilson, and there were no objections.

FISCAL MATTERS:

33. Standard Gas Company and Southern California Edison Company - Report and letter to Council re: Franchise fees submitted by City Attorney and Director of Finance.

MOTION: Councilman Miller moved that the subject report be held for pre-Council discussion at 7:00 P.M. on January 14, 1969. His motion was seconded by Councilman Wilson, and there were no objections.

PLANNING AND ZONING MATTERS:

14. Filing Fees for two or more planning applications on the same property. Communication from the Planning Director.

MOTION: Councilman Miller moved to concur with the recommendation of the Planning Director, and direct the City Attorney to prepare the necessary ordinance. His motion was seconded by Councilman Sciarrotta, and roll call vote was unanimously favorable.

15. ORDINANCE amending Section 91.10.2 of the Torrance Municipal Code to require 1,000 square feet of lot area per dwelling unit in the R-P zone to conform with multiple-residential requirements recently approved by the Planning Commission and City Council submitted by City Attorney and Planning Director.

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

ORDINANCE NO. 1940

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING SECTION 91.10.2 OF DIVISION 9, CHAPTER 1, (THE LAND USE ORDINANCE) OF THE TORRANCE MUNICIPAL CODE TO ESTABLISH NEW REQUIREMENTS FOR LAND AREA PER DWELLING UNIT FOR PROPERTY ZONED R-P (RESIDENTIAL-PROFESSIONAL.)

Councilman Wilson moved for the approval of Ordinance No. 1940 at its first reading. His motion, seconded by Councilman Sciarrotta, was unanimously approved by roll call vote (Councilman Beasley absent).

16. ORDINANCE reclassifying property described in Zone Change Case 68-25, Torrance Planning Commission. Change of zone from A-1 and M-2 to P-U on publicly owned property known as the Torrance Civic Center.

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

ORDINANCE NO. 1941

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING DIVISION 9 OF THE TORRANCE MUNICIPAL CODE TO RECLASSIFY THAT CERTAIN PROPERTY WHICH IS LOCATED ON PUBLICLY OWNED PROPERTY KNOWN AS THE TORRANCE CIVIC CENTER, AND DESCRIBED IN ZONE CHANGE 68-25.

(Torrance Planning Commission)

Councilman Sciarrotta moved for the approval of Ordinance No. 1941 at its first reading. His motion was seconded by Councilman Uerkwitz, and unanimously approved by roll call vote. (Absent: Councilman Beasley).

17. TENTATIVE TRACT MAP NO. 30596, Subdivider, Robert Dunn;
 17A. Engineer, Denn Engineering. This is a 4-lot tract located between 231st Street and future 232nd Street approximately 140 feet easterly of Pennsylvania Avenue. Recommended for approval by the Planning Commission, subject to conditions. Additional requirements recommended by Planning and Engineering Departments.

Mayor Isen inquired as to the interested parties present on this matter. There were several interested citizens, including Mrs. Betty Ponsford (author of the letter representing Item 17A), as well as the proponent, Mr. Robert Dunn.

The matter of the dedication of 232nd Street, and the intricateness thereof, were reviewed. City Attorney Remelmeyer reported on favorable conversations with Mr. Killingsworth, the property owner from whom dedication is needed, and suggested that holding this case for two weeks might prove fruitful, if agreeable with Mr. Dunn. Mayor Isen further suggested that City Manager Ferraro arrange a meeting with Mr. Dunn, City Attorney Remelmeyer, and neighborhood representatives in an effort to resolve this matter. Mr. Dunn stated that he would be glad to stipulate to holding this case over to December 30th. No objections were voiced by the homeowners.

Councilman Johnson recommended that at the same time the group should consider ways and means of putting the street all the way through, in view of the problem at the end of Pennsylvania Avenue and the home affected at that location.

Mayor Isen stated that Item 17, by stipulation of parties concerned, will be continued to Monday, December 30, 1968, an 8:00 P.M. meeting.

19. TRACT 30357: Release of Subdivision Bond (Bond #7SM-157-942) Subdivider: R.L. Harris, Inc. Recommendation of Acting City Engineer that subject bond be released.

Councilman Sciarrotta MOVED to concur with the recommendation of the Acting City Engineer. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable (Councilman Beasley absent).

20. TRACT 28455: (1) Request of Don Wilson Builders for extension of one year in which to complete improvements. (2) Request to reduce subdivision bond to \$3,500. Recommendation of Acting City Engineer that requests be granted.

MOTION: Councilman Johnson moved to concur with the requests outlined above and the recommendation of the Acting City Engineer that the requests be granted. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable (Councilman Beasley absent).

21. TENTATIVE TRACT 23336: Request of Tony Aquini for one year extension in which to record. Recommendation of Acting City Engineer that requested extension be granted.

MOTION: Councilman Sciarrotta moved to concur with the recommendation of the Acting City Engineer. His motion, seconded by Councilman Johnson, was unanimously approved by roll call vote (Councilman Beasley absent).

* * * *

Councilman Sciarrotta moved that the City Council recess at this time, 6:25 P.M., reconvene as the Redevelopment Agency, followed by a general 9-minute recess at 6:27 P.M. The motion was seconded by Councilman Uerkwitz, and there were no objections.

* * * *

22. NOTICE OF COMPLETION: Improvement of 182nd Street from east of Wilton Place to Gramercy Place - Job #67059 (B68-45). Three recommendations from Acting City Engineer.

1. That Council approve and authorize the additional work described in memo of December 11th;
2. That Council accept the project;
3. That final payment be made to the contractor.

Councilman Sciarrotta MOVED to concur with the recommendations of the Acting City Engineer. His motion, seconded by Councilman Johnson, was unanimously approved by roll call vote (Councilman Beasley absent).

23. Resolution authorizing agreement for maintenance of State Highways in the City of Torrance beginning July 1, 1968.

City Manager Ferraro requested that this item be held for two weeks; there were no objections.

25. RESOLUTION authorizing Joint Powers Agreement with the County of Los Angeles for the construction of buildings and structures in the Torrance Civic Center.

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

RESOLUTION 68-281

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE DECLARING ITS INTENTION TO ENTER INTO AN AGREEMENT WITH THE COUNTY OF LOS ANGELES TO ESTABLISH A JOINT POWERS AUTHORITY FOR THE CONSTRUCTION OF GOVERNMENTAL FACILITIES ON THE TORRANCE CIVIC CENTER.

Councilman Wilson moved for the adoption of Resolution No. 68-281. His motion, seconded by Councilman Miller, was unanimously approved by roll call vote (Councilman Beasley absent).

TRAFFIC AND LIGHTING:

27. RESOLUTION submitted authorizing installation of 2-Hour Parking 8 A.M. to 4 P.M. School Days restrictions on west side of Manuel Avenue between Carson Street and Watson Avenue.

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

RESOLUTION NO. 68-282

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING RESOLUTION NO. 64-116, ARTICLE VII, WHICH ESTABLISHES TWO HOUR PARKING FROM 8AM-4PM SCHOOL DAYS BY ADDING A CERTAIN LOCATION THERETO.

Councilman Sciarrotta moved for the adoption of Resolution 68-282, and his motion, seconded by Councilman Johnson, carried, with roll call vote as follows:

AYES: COUNCILMEN: Johnson, Sciarrotta, Uerkwitz,
Wilson, and Mayor Isen.
NOES: COUNCILMEN: None.
ABSTAIN: COUNCILMEN: Miller (has property listing
in this location)
ABSENT: COUNCILMEN: Beasley.

28. RESOLUTION submitted authorizing installation of 1-Hour Parking 9 A.M. to 6 P.M. Sundays Excepted restrictions on the south side of Sepulveda Boulevard between Ladeene Avenue and Kent Avenue.

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

RESOLUTION NO. 68-283

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING RESOLUTION 64-116, ARTICLE II, WHICH ESTABLISHES ONE HOUR PARKING 9AM-6PM SUNDAYS EXCEPTED BY ADDING A CERTAIN LOCATION THERETO.

Councilman Sciarrotta moved for the adoption of Resolution No. 68-283. His motion, seconded by Councilman Johnson, was unanimously approved by roll call vote (Councilman Beasley absent).

35. RESOLUTION authorizing agreement between City of Torrance and Wells Fargo Bank designating Wells Fargo Bank as the paying agency in connection with the 1967 Library Bond Issue, Series B.

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

RESOLUTION 68-284

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK TO EXECUTE THAT CERTAIN AGREEMENT BETWEEN THE CITY OF TORRANCE AND WELLS FARGO BANK DESIGNATING THE WELLS FARGO BANK AS THE PAYING AGENCY IN CONNECTION WITH THE 1967 LIBRARY BOND ISSUE, SERIES B, DUE SERIALY OCTOBER 1, 1969 - OCTOBER, 1988.

Councilman Uerkwitz moved for the adoption of Resolution 68-284. His motion, seconded by Councilman Wilson, was unanimously approved by roll call vote (Councilman Beasley absent).

34. City Manager's Proposed 1968-69 Capital Improvement Program.

In view of the considerable study involved, Mayor Isen recommended that this item be postponed to January 14th, 1969 meeting. Councilman Sciarrotta so MOVED; his motion was seconded by Councilman Johnson, and there were no objections.

41. ORDINANCE adding Article 10 to Chapter 7 of Division 9 of the City Code to provide for the issuance of an annual operating permit for oil wells and establishing regulations therefor.

Mr. P.L. Lacombe, Standard Oil Company, was present, and expressed his approval of this action. At Mayor Isen's question, City Attorney Remelmeyer, City Manager Ferraro, and Building and Safety Director McKinnon confirmed their recommendation that the subject ordinance be adopted.

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

ORDINANCE 1942

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE ADDING ARTICLE 10 TO CHAPTER 7 (THE OIL CODE) OF DIVISION 9 OF THE TORRANCE MUNICIPAL CODE TO PROVIDE FOR THE ISSUANCE OF AN ANNUAL OPERATING PERMIT FOR OIL WELLS AND ESTABLISHING REGULATIONS THEREFOR.

Councilman Johnson moved for the approval of Ordinance 1942 at its first reading. His motion, seconded by Councilman Uerkwitz, was unanimously approved by roll call vote (Councilman Beasley absent).

38. Transportation Contract with Torrance Unified School District. Extension of present contract providing transportation per agreement on an "as needed" basis. Recommended for approval by Acting Bus Superintendent.

Councilman Miller moved to concur with the recommendation of the Acting Bus Superintendent. His motion, seconded by Councilman Sciarrotta, was unanimously approved by roll call vote (Councilman Beasley absent).

42. Request from City Attorney for authorization to hire Richard Del Guercia to assist in trial to complete acquisition proceedings for South Torrance (Sur La Brea) Park.

Councilman Sciarrotta moved that the request of the City Attorney to hire Richard Del Guercia be granted. His motion was seconded by Councilman Miller, and roll call vote was unanimously favorable (Councilman Beasley absent).

43. Charter Review Committee submitting re: dissolution of committee and request for meeting with committee of the Council.

Mayor Isen suggested that this is a matter for the attention of the Council Committee on this subject, and that the subject letter be referred to that Committee. There were no objections, and it was so ordered.

44. RESOLUTION of Record Destruction authorizing the City Clerk to destroy certain City records and documents, pursuant to Sections 34090, 34090.5 and 34090.7 of the Government Code.

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

RESOLUTION 68-285

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING AND DIRECTING THE CITY CLERK TO DESTROY CERTAIN CITY RECORDS AND DOCUMENTS PURSUANT TO THE GOVERNMENT CODE OF THE STATE OF CALIFORNIA.

Councilman Sciarrotta moved for the adoption of Resolution 68-285. His motion, seconded by Councilman Uerkwitz, was unanimously approved by roll call vote.

ORAL COMMUNICATIONS:

48. Walter Nollac, 23305 Ladeene Avenue, referred to his request, outlined in his letter of December 17th, that the City Council appropriate an amount equivalent to that expended by the City Manager and City Attorney's office in the preparation and prosecution of charges preferred against him.

City Attorney Remelmeyer advised that action is within the discretion of the Council; the law provides that the Council may, but are not required to, provide for Mr. Nollac's defense. Mr. Remelmeyer reiterated his earlier expressed opinion that such requests should be made prior to a hearing.

Maintaining his previous position, Councilman Johnson stated that Mr. Nollac is one of the City's senior members, a high Staff member with extreme responsibilities -- Mr. Johnson acknowledged the "innocent until proven guilty" rule, but the "where there is smoke, there is fire" adage cannot be overlooked. An exercise of better

judgment, which seems mandatory for a position of this caliber, would not have placed Mr. Nollac in his present position. Councilman Johnson, therefore, must vote negatively.

Councilman Miller stated that the outcome and end result may or may not affect whether the City should subsidize Mr. Nollac's attorney's fees -- in the event he is proven innocent, the fees should be paid; if guilty, then obviously not. Mr. Miller added that he is at a loss to understand why it is a requirement to request such money from the City prior to the hearing on the case. City Attorney Remelmeyer advised that it is simply the way the statute reads, with the discretionary aspect noted.

The crux of the situation, in Mayor Isen's opinion, is whether or not the City Manager, in the exercise of his duties as such is exercising good faith; every presumption at this time has to go along with the point that good faith is being exercised. Should it prove otherwise at the end of the proceedings, then the matter of reimbursement of attorney's fees could certainly be reviewed by the Council, Mayor Isen continued, noting as well that Mr. Nollac is perfecting a record by making this request at this time. Mayor Isen could not vote in favor of the subject request in view of the difficult precedent that would be set, stumbling blocks would be put in the way of disciplining either by suspension or dismissal by the City Manager in the proper exercise of his duties. It seems to Mayor Isen that at this stage of the game the Council must take for granted that the City Manager within his authority is acting in good faith and performing his duties as required under the City Charter.

Regret over the entire situation was expressed by Councilman Sciarrotta, with the outcome still in suspense. The one trial was a very costly one for Mr. Nollac, and now another trial is before him with the cost impossible to forecast. Mr. Sciarrotta recognizes the merit of the foregoing comments, but he is disturbed by the possible inequities as well.

It would seem to Councilman Wilson that the Council should take the position that if the man is proven innocent he should not stand the costs of the proceedings, recognizing the considerable costs already accrued by Mr. Nollac, along with the undesirability of setting a precedent, but by the same token if he is proven innocent there seems to be an obligation on the part of the City to respond to the request.

At Councilman Sciarrotta's question as to this advance request for funds by Mr. Nollac, which is on record, and whether or not the Council would be in line to reimburse him later should it so decide, City Attorney Remelmeyer stated he did not know the answer. Mayor Isen added that, in his opinion, and regardless of the statute, it would be a completely illegal gift of public funds to a defense which is private in its capacity with a man defending his position. Mayor Isen added that such reimbursement has never been done before by the City by way of defense either before or after.

Next to speak was John Kirkpatrick, Torrance City Employees' Association, Civil Service Committee Chairman, who stated that the City of Torrance has a civil service system and it is the intent of this organization to support and preserve civil service. It is the further feeling of TCEA that the City Council has demonstrated their desire to likewise preserve the civil service system, adding rules and modifying others when problems developed that needed correction. One of the problems with the civil service system is that the City can prefer charges against an employee and use virtually unlimited funds in doing so; no employee could afford to defend himself against charges of this kind indefinitely, even though made in good faith. Mr. Kirkpatrick added that the laws of the State of California provide that a City Council may appropriate funds for the defense of an employee against charges brought by the City; few laws of this nature are enacted on whims or passed lightly - legislators saw the need for this law in order to preserve our system of fair play. The Council can take advantage of that act and be fair; the State law provides the tool; the State law also provides that the Councilmen are the only men who can use that tool, and, in conclusion, Mr. Kirkpatrick stated that the decision is entirely up to the Council.

MOTION: Councilman Johnson moved to DENY. His motion was seconded by Mayor Isen, and carried, with roll call vote as follows: ("yes" being for denial)

AYES: COUNCILMEN: Johnson, Miller, Sciarrotta,
Uerkwitz, and Mayor Isen.

NOES: COUNCILMEN: Wilson.

ABSENT: COUNCILMEN: Beasley.

It was the comment of Councilman Miller, regarding his "yes" vote, that he would reserve the right to judge this after the hearing. Councilman Sciarrotta stated that his sentiments are exactly the same as those of Mr. Miller.

45. Damaged Signal Controller Replacement - 190th and Crenshaw Boulevard.

The emergency nature of this request was outlined by City Manager Ferraro.

MOTION: Mayor Isen moved to concur with the purchase of a replacement traffic signal controller in the amount of \$6,777.75 at 190th and Crenshaw. The motion was seconded by Councilman Johnson, and roll call vote was unanimously favorable (Councilman Beasley absent).

49. City Clerk Coil regretfully announced the death of Jack Moss, husband of Deputy City Clerk Marge Moss, with services scheduled for Wednesday, December 18th, at 2 P.M.

46. The resignation of Mrs. Alva Wilson from the Torrance Safety Council, and her fine contribution, were pointed out by City Clerk Coil. Mayor Isen MOVED that a permaplaque commemorating her service be prepared. His motion, seconded by Councilman Johnson, was unanimously approved by roll call vote (Councilman Beasley absent).

37. ORDINANCE re: License Tax for Vending and Service Machines.

Mayor Isen noted that the proposed ordinance meets with the approval of the Western Vending Machine Operators' Association. He then requested that City Clerk Coil assign a number and read title to:

ORDINANCE 1943

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE ADDING SECTION 33.5.11 TO DIVISION 3, CHAPTER 3, ARTICLE 5 OF "THE CODE OF THE CITY OF TORRANCE".

Councilman Uerkwitz moved for the approval of Ordinance 1943 at its first reading. His motion, seconded by Councilman Sciarrotta, was unanimously approved by roll call vote (Councilman Beasley absent).

36. ORDINANCE re: License Tax for Coin Operated Washing Machines.

Mr. William Bloomfield, President, Webb's Service Company, new address: 3690 Freeman Boulevard, Redondo Beach, speaking as a Torrance property owner (1330 Post), president of Webb's Service Company, and as a member of the Board of Directors of the National Association of Coin Laundry Equipment Operators, advised the Council that this business is akin to Culligan Water Softener, the Xerox machine, etc. - a service business, which is not taxed as is proposed in the ordinance now before the Council.

Discussion followed, with there being general consensus that it is appropriate to tax laundromats but not two or three machines in an apartment house for the benefit of the apartment tenants and not the outside public. Dissenting was Councilman Uerkwitz who stated that it would be discriminatory not to go ahead with the proposal as presented even though a great amount of money is not involved.

MOTION: Councilman Sciarrotta moved that Item 36, Ordinance re: License Tax for Coin Operated Washing Machines be filed. The motion was seconded by Mayor Isen, with the comment that he now feels he was in error in calling it back. The motion carried, with roll call vote as follows:

AYES: COUNCILMEN: Johnson, Miller, Sciarrotta,
Wilson, and Mayor Isen.
NOES: COUNCILMEN: Uerkwitz.
ABSENT: COUNCILMEN: Beasley.

WATER SYSTEM:

39. Construction of Water Main along Van Ness Avenue from 190th Street to Del Amo Boulevard, recommended by Water System Manager with two alternate recommendations for financing.

Assistant Water Superintendent Powell requested that this item be held, pending further information; there were no objections.

PERSONNEL MATTERS:

29. Revised Class Specifications for Librarian and Senior Librarian.

MOTION: Councilman Sciarrotta moved to approve the revised class specifications for Librarian and Senior Librarian. His motion was seconded by Councilman Wilson, and approval was unanimous. (Councilman Beasley absent).

30. Reclassification of Intermediate Typist Clerk in Recreation Department.

MOTION: Councilman Miller moved to concur with the recommendation of the Civil Service Commission approving reclassification of Intermediate Typist Clerk position in Recreation Department. His motion was seconded by Councilman Sciarrotta, and roll call vote was unanimously favorable (Councilman Beasley absent).

31. Bus Superintendent examination recommendation by Civil Service Commission.

Noted by Mayor Isen was the Civil Service Commission recommendation that an examination for Bus Superintendent be ordered on an Open basis, with his further comment concurring with the City Manager that an experienced man is vitally needed, and deserving of the very best man available.

MOTION: Councilman Miller moved to concur with the recommendation of the Civil Service Commission that an examination for Bus Superintendent be ordered on an Open basis. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable (Councilman Beasley absent).

32. ORDINANCE re: Suspension and Discharge of Safety Employees.

City Manager Ferraro stated there is a need for technical corrections. Councilman Sciarrotta moved that the subject ordinance be held until the Council meeting of December 30th. His motion was seconded by Councilman Uerkwitz, and there were no objections.

50. A telegram from Cecil King advising that bids will be solicited for a new post office, Carson Branch, was read aloud by City Clerk Coil. Mr. Bob Andrew, Press Telegram reporter, confirmed that this is a result of the City of Carson's efforts for one combined postal address.

51. A check in the amount of \$5,400.87 on the City's retrospective payment from Transit Casualty, Torrance Municipal Bus Lines, due to the good experience the past year was displayed by City Clerk Coil who in turn handed the check over to Treasurer Rupert.

47. LOS ANGELES COUNTY FLOOD CONTROL DISTRICT APPLICATION FOR FEDERAL FUNDS FOR CONSTRUCTION OF STORM DRAINS. Recommendation of Acting City Engineer that Resolution in support of the Flood Control District application be adopted.

Acting City Engineer Weaver expanded on his December 16th memo, clarifying the need for immediate action in the adoption of the subject resolution.

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

RESOLUTION 68-286

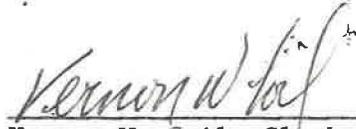
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE JOINING IN THE REQUEST OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT FOR A SUPPLEMENTARY FEDERAL GRANT FOR THE CONSTRUCTION OF A CERTAIN STORM DRAIN SYSTEM.

Councilman Wilson moved for the adoption of Resolution 68-286; his motion was seconded by Councilman Uerkwitz, and roll call vote was unanimously favorable (Councilman Beasley absent).

It was the comment of Mayor Isen that the above action is for the reason of cooperation.

At 7:15 P.M. Councilman Johnson moved to adjourn to Monday, December 30, 1968, at 8:00 P.M. His motion was seconded by Councilman Uerkwitz, and roll call vote was unanimously favorable (Councilman Beasley absent).

* * * *



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

APPROVED:



Mayor of the City of Torrance

Ava Cripe
Minute Secretary

17.

Council Minutes
December 17, 1968