

I N D E XCity Council - December 4, 1969 - 5:30 P.M.

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Adjourned at 7:40 P.M.

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December 4, 1969

MINUTES OF AN ADJOURNED REGULAR  
MEETING OF THE TORRANCE CITY COUNCIL

OPENING CEREMONIES:

1. CALL TO ORDER:

The Torrance City Council convened in an adjourned regular meeting on Thursday, December 4, 1969, 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 Beasley, Johnson, Miller, Sciarrotta, Uerkwitz, Wilson, and Mayor Isen. Absent: None.

Also present: City Manager Ferraro, Assistant City Manager Scharfman, City Attorney Remelmeyer, and City Clerk Coil. Absent: City Treasurer Rupert (illness).

3. FLAG SALUTE:

Boy Scouts Dale Eikmier and Steven Usdansky, Troop #586, were introduced by Mayor Isen, and, at the Mayor's request, Dale led in the salute to the flag.

4. INVOCATION:

The invocation for the meeting was given by Reverend Edward L. Hughes, Walteria Assembly of God Church.

STANDARD MOTIONS:

5. APPROVAL OF MINUTES:

Not yet received.

6. APPROVAL OF DEMANDS:

Councilman Beasley moved that all properly audited demands be paid. His motion was seconded by Councilman Johnson, and carried as follows:

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

NOES: COUNCILMEN: None.

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

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ordinance in regular order. The motion, seconded by Councilman Sciarrotta, was unanimously approved by roll call vote.

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The 13th Annual Junior Citizens Day on December 16th was announced by Mayor Isen, along with the fact that Judge William Keene will be the luncheon speaker -- the event should prove most worthwhile for all concerned.

\* \* \* \*

8. COUNCIL COMMITTEE MEETINGS - None.

8A. MAYOR PRO-TEM.

MOTION: Councilman Sciarrotta moved that Councilman Uerkwitz serve as Mayor Pro-tem from November 15, 1969 to May 15, 1970. The motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

NONCONTROVERSIAL ITEMS:

9. AWARD OF CONTRACT - TO RESURFACE FOUR CITY PARK PLAYING COURTS. Reference Bid #B69-65.

RECOMMENDATION OF FINANCE DIRECTOR/BUYER:

That Council accept the low bid submitted by Schwall Construction Company and award them the contract for resurfacing the tennis and basketball courts per specifications in the amount of \$8,390.00 including tax.

10. EXPENDITURES OVER \$300:

RECOMMENDATION OF FINANCE DIRECTOR/PURCHASING SUPERVISOR:

That Council approve the following purchases:

A. BUDGETED:

1. \$1527.75 to Centerline Products (Bauer Paint) for 300 gallons of white and 300 gallons of yellow street striping paint as requested by the Traffic & Lighting Department for use in painting street traffic lines.
2. \$578.35 to Johnson Stationers for two desks, two chairs and one only filing cabinet as requested by the Finance Department for new budgeted employees.
3. \$376.00 to Saturn Manufacturing Corporation for installation of a 12' x 12' office partition wall as requested by the Building Department to be used for additional space.
4. \$955.40 to M.L. Snyder for raingear for City Departments as required for the coming rainy season. This purchase includes the following gear:

Six - 3/4 size raincoats, 63 rainhats, 25 jackets, 25 rainpants, 23 pairs Police 4-buckle boots, 25 knee and 16 hip boots as requested by the Police, Park, Fire, Airport, Street-Sanitation, Water, Traffic and Lighting, Bus, Building Maintenance and City Garage Departments.

B. SPECIAL ITEM:

5. \$1061.14 to Needham Book Finders for 426 assorted books.

MOTION: Councilman Sciarrotta moved for the approval of agenda items #9 and #10 as recommended. His motion was seconded by Councilman Uerkwitz, and carried as follows:

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

NOES: COUNCILMEN: None.

PLANNING AND ZONING MATTERS:

11. Communication from the Planning Director regarding Substandard size lots resulting from right-of-way acquisition for Del Amo Boulevard.

Noted by Councilman Johnson was his feeling that the Council must guarantee the people in this area that they will have buildable lots - perhaps by way of a covenant in the deed - adding that future Councils could possibly take this away. City Attorney Remelmeyer confirmed that future Councils could not be bound.

Other problems were pointed out by Councilman Uerkwitz in that some of the lot sizes are alarmingly small. Councilman Beasley is of the opinion that until there is more demand for traffic in this area than there is at the present time, this development is the height of stupidity and will serve as a monument to this Council's lack of wisdom -- Del Amo Boulevard should be a 100 ft. street all the way through the City of Torrance. Mr. Beasley concurs that the small lots will create further problems.

Councilman Miller recalled the South Torrance Oil Fields experience -- which started with a half street, a plan which was created out of necessity. The same rule would apply in this matter; it is necessary to start somewhere, and there must be certain compromises, according to Mr. Miller.

Reservations as to the practicability of putting a street through this area, at considerable cost, were expressed by Councilman Sciarrotta.

Councilman Wilson recalled the previous Council assurance to these people that their property would be buildable, regardless of the size.

Mayor Isen reaffirmed the Council's concern for this area -- all very fine if left with the original ownership, or their heirs or successors by way of probate proceedings; however, this should not apply to anybody who comes in the area as a purchaser with the thought that he could buy

a small lot and get all the privileges and relaxation of ordinances enjoyed by the original family, and the Mayor would like to see such a modification which would give the original owner, their successors, administrators and heirs the rights provided by this Council which, in good faith, must be done -- any sales should be reviewed as to whether or not it is buildable for the purpose within the zoning, etc. In short, Mayor Isen further stated, it is necessary that the Council keep a control despite the latitude afforded the original owners -- this could be accomplished by proper resolution which future Councils will respect.

Discussion followed on the status of the deals made to date, and the various problems presented, particularly as to the resultant small size lots.

MOTION: Councilman Sciarrotta moved that this item be postponed until the December 16th Council meeting to permit further review and report by Staff. The motion was seconded by Councilman Johnson, and there were no objections.

It was clarified by Mayor Isen, for the benefit of Administration, Planning, and the City Attorney, that information is desired on the lots which would be considered completely unbuildable as to how much was paid for the portion deeded to the City in the agreement, by the same ratio how much will be necessary in order to buy the whole piece.

Mr. Jerry Butts, Design Construction, was present re: problems that might be presented by a time delay -- he was reassured that there are no problems in his case and referred to Staff for further clarification.

STREETS AND SIDEWALKS:

12. IMPROVEMENT OF 182ND STREET FROM PRAIRIE AVENUE TO DOTY AVENUE.  
(B69-53 - Job #69027) Recommendation of Acting City Engineer that the additional work needed be approved.

(Note: No additional funding will be needed inasmuch as \$17,000 has been appropriated from Section 2107 Gas Tax Funds and the original bid was \$10,995.05.)

MOTION: Councilman Sciarrotta moved to concur with the recommendation of the Acting City Engineer and approve the appropriation of the necessary funds. His motion was seconded by Councilman Miller, and roll call vote was unanimously favorable.

13. IMPROVEMENT OF GRAMERCY PLACE FROM 180TH STREET NORTH TO END.  
(B69-58 - Job #68079)

RECOMMENDATION OF ACTING CITY ENGINEER:

That the contract be awarded to Norman Ruggles, and all other bids be rejected.

(The project is financed by \$9,250, appropriated from the Miscellaneous Minor Street Improvement budget.)

MOTION: Councilman Uerkwitz moved to concur with the recommendation of the Acting City Engineer. His motion was seconded by Councilman Miller, and roll call vote was unanimously favorable.

14. REQUEST OF BOISE CASCADE BUILDING COMPANY FOR ADDITIONAL TIME EXTENSION - TRACT NO. 22704.

RECOMMENDATION OF ACTING CITY ENGINEER:

That request be granted.

City Manager Ferraro requested that Council approval be conditioned upon the payment of inspection fees in the amount of \$6,222.00. Mayor Isen so MOVED; his motion was seconded by Councilman Beasley, and there were no objections.

MOTION: Councilman Miller moved to concur with the recommendation of the Acting City Engineer that the request be granted, subject to the payment of the above noted inspection fees. The motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

REAL PROPERTY:

15. RESOLUTION authorizing the Mayor and City Clerk to execute and attest agreement and escrow instructions for the purchase of property for the Southeast Torrance Library.

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

RESOLUTION NO. 69-301

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST THAT CERTAIN AGREEMENT AND ESCROW INSTRUCTIONS FOR THE PURCHASE OF PROPERTY REQUIRED FOR THE SOUTHEAST TORRANCE LIBRARY.

Councilman Johnson moved for the adoption of Resolution No. 69-301. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

TRAFFIC AND LIGHTING:

16. Appeal of Howard Friedman, shopping center representative, on the CORDARY BARRICADE.

Mayor Isen announced that he will abstain in this matter, having learned that one of the owners of the shopping center involved is a very close first cousin.

Mayor Pro-tem Uerkwitz assumed leadership of the meeting.

Concern for traffic on the subject street, and the safety of the many children there, was expressed by Councilman Johnson, following his on-site inspection of the situation. At his request, Traffic Engineering Assistant Carothers explained Plans A, B, C, D, & E. devised by the Traffic Department in regard to this situation, as well as recent events in an attempt to work out a compromise. Mr. Carothers advised that Plan C is the one recommended by the Traffic Department.

First to speak, at the invitation of Mayor Pro-tem Uerkwitz, was Mr. Roy McCutcheon, 16916 Cordary Avenue, who stated that he resides in the first house on the east side of the street adjacent to the parking lot, and that he had at first reluctantly signed the petition to put up the barricade because of the safety factor. However, since the barricade has been erected his property has become more dangerous than before because the cars are now using his driveway, lawn, etc. to gain access to the parking lot. Mr. McCutcheon is in favor of Plan A or C, and stated that he is sure the market will cooperate in view of their past record of cooperation. Alternate routes, such as 171st and Prairie, are extremely dangerous, in his opinion; further, there should be a sign "No Trucks Allowed".

Mr. Michael Koomer, 6380 Wilshire Boulevard, Los Angeles, representing the shopping center owner and the tenants, stated that, first of all it may be somewhat premature to discuss the ultimate merits of the case -- they would like time to employ traffic engineers of their own to investigate the situation -- further, there needs to be an investigation of the original direction for the barricade in order to determine whether the City officials had sufficient cause to erect the barricade prior to notice, hearings, etc.

Continuing, Mr. Koomer reiterated his extensive remarks, as outlined in the November 20th Traffic Committee minutes, and indicated their willingness to adopt the following compromise:

At their own cost they will construct speed bumps on the surface of the parking lot;

They will extend the curb at the entrance of the parking lot 20 ft.;

They believe that signs should be erected both in the shopping center and on the street indicating "no entrance or exit" to trucks;

They would ask the City to erect a stop sign at the corner of Cordary and 170th Street; and

Finally, they would certify to this body that they will exert informal and formal pressures upon truckers servicing the shopping center to restrain them from either entering or leaving the shopping center at the Cordary entrance.

Mr. Koomer also indicated his feeling that Plan A provides a good basis of compromise, and unless a compromise solution can be reached at this meeting, recommended the following course of action: first, that the barricade be removed and the status quo restored; that they be allowed to meet with the experts in the Traffic and Lighting Department with their experts in order to persuade them of the error they are now perpetuating by continuing to maintain the barricade; or, alternatively, they they submit a proposal of compromise, but, in no case, can the barricading of the street continue.

Discussion ensued regarding the propriety of the barricades with the problem yet to be resolved; City Attorney Remelmeyer confirmed that, in his opinion, they should be taken down. Sr. Deputy Attorney Smith added his opinion that in this particular case there is a substantial

probability that a court would find that this was a taking, rather than a proper exercise of the police power; the preferable way would be by way of public hearing.

Councilman Sciarrotta stated that it is apparent considerable more legal research must be done, and he MOVED that the barricades be removed until it can be determined what can be done. His motion was seconded by Councilman Beasley.

Strongly protesting such action was Councilman Johnson who asked that the people present on this matter be permitted to speak. A number of people in the audience were standing to speak, voicing their objections to being precluded.

Mayor Pro-tem Uerkwitz pointed out that a vote would be necessary on the bona fide motion and second, and noted that favorable action on the motion would mean that the people could not be heard at this meeting, but, rather, at a public hearing.

The motion carried, with roll call vote as follows:

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

Councilman Johnson, at the time of his "no" vote, stated that he wanted to hear the people; they have a right to be heard now.

Relative to his "yes" vote, Councilman Miller stated that he would not go against the advice of the City Attorney; there is a legal question involved, and it is not rational to go against his advice thereby jeopardizing all the taxpayers. Mr. Miller added that the people will not be precluded at the proper time, and his final decision will be made at the public hearing.

Councilman Sciarrotta concurred with Councilman Miller -- the people will have their opportunity to speak at the public hearing, according to proper procedure. The barricades are illegal, in Councilman Sciarrotta's opinion, hence the above action, but there is no intent to preclude the residents.

As to his "no" vote, Mayor Pro-tem Uerkwitz questioned the interpretation of Traffic Engineer Horkay's action in putting up the barricades; there does not seem to have been a violation.

Councilman Miller took exception to the role of a "heavy" in this case; there is no intent to foreclose on the people present, and urged that a proper hearing be established here and now. The following action resulted:

MOTION: Councilman Sciarrotta moved that the City Attorney take all measures necessary to make sure that the Council is proceeding properly, and that there be notification of a time and place for a public hearing, the time certain being January 13, 1970, at 7:00 P.M. The motion was seconded by Councilman Miller, and roll call vote was unanimously favorable (Abstain: Mayor Isen).

\* \* \* \*

The hour being 6:45 P.M. a 5-minute recess was ordered by Mayor Pro-tem Uerkwitz.

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On resumption of the meeting, with Mayor Isen again in charge, attention was first directed to:

22. HEALTH INSURANCE - FIRE SAFETY EMPLOYEES.

Councilman Sciarrotta reported on the findings of the Council Finance Committee and its recommendation that the Council approve the application of the \$13.49 monthly contribution for health insurance to the separate plan for the Fire Safety Employees; that the full \$13.49 be applied to this separate plan for the employees and toward any dependents; and that the City will contribute only that amount necessary to cover the employee where no dependents are involved.

MOTION: Councilman Sciarrotta moved to concur with the above recommendation of the Council Finance Committee. The motion was seconded by Councilman Uerkwitz, and roll call vote was unanimously favorable.

FISCAL MATTERS:

18. Council Finance Committee Memorandum of November 24, 1969 regarding Chamber of Commerce Contractual Agreement.

RECOMMENDATION OF COUNCIL FINANCE COMMITTEE:

That the contractual agreement with the Chamber of Commerce be amended so that they will receive an additional \$5,000 on or before December 31, 1969. Further, that upon proper presentation of statistics and data by the Chamber, the City would consider an additional increase this fiscal year if it appears completely justified on the basis of services performed by the Chamber for the City.

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

RESOLUTION NO. 69-302

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST THAT CERTAIN AGREEMENT BETWEEN THE CITY AND THE TORRANCE CHAMBER OF COMMERCE, RELATIVE TO ADVERTISING AND PROMOTING THE CITY FOR THE FISCAL YEAR 1969-1970.

Councilman Sciarrotta moved for the adoption of Resolution No. 69-302. His motion was seconded by Councilman Johnson.

Concern relative to again going outside the budget for the requested \$5000 was expressed by Councilman Uerkwitz who questions as well the matter of priorities with an eye to the needs of Parks.

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and Recreation. Mr. Uerkwitz would not disagree that the problem is present and suggested that perhaps some of the activities could be cut and accomplish the same thing. Councilman Sciarrotta explained the compromise reached and the fact that the request had been cut in half.

Roll call vote on Councilman Sciarrotta's motion was unanimously favorable. Councilman Uerkwitz stated at the time of his "yes" vote that he so voted with the proviso that it is a one-time deal.

MOTION: Councilman Sciarrotta moved that \$5,000 be appropriated from the General Fund Unappropriated Surplus in this consideration. The motion was seconded by Councilman Johnson, and roll call vote was unanimously favorable.

TRAFFIC AND LIGHTING:

17. Request from Mr. Sam Failla (San Franciscan Restaurant) to remove NO PARKING ANYTIME signs on Sepulveda Boulevard.  
RECOMMENDED FOR DENIAL.

Mr. Failla was present to clarify that his request is for No Parking after the peak traffic hours.

It was pointed out by Councilman Beasley that Sepulveda Boulevard is rapidly becoming one of the most heavily travelled streets in Torrance -- to approve Mr. Failla's request would be denying the people of Torrance access to that street, a street that is desperately needed. Councilman Miller, who had previously supported Mr. Failla's cause, stated that he now must concur with the recommendation for denial; the traffic is just too much.

MOTION: Councilman Uerkwitz moved to concur with the recommendation of the City Traffic Engineer for DENIAL of the subject request. The motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable, "yes" being for denial.

COMMUNITY AFFAIRS:

19. MEMBERSHIP IN TASC.  
RESOLUTION ratifying agreement between the Department of Public Works of the State of California and the member counties and cities regarding membership in TASC.

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

RESOLUTION NO. 69-303

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE RATIFYING THE AGREEMENT BETWEEN THE DEPARTMENT OF PUBLIC WORKS OF THE STATE OF CALIFORNIA, COUNTIES OF IMPERIAL, LOS ANGELES, ORANGE, SAN BERNARDINO, RIVERSIDE, VENTURA, SOUTHERN CALIFORNIA RAPID TRANSIT DISTRICT, RATIFYING CITIES, ET. AL.

Councilman Wilson moved for the adoption of Resolution No. 69-303. His motion was seconded by Councilman Beasley, and roll call vote was unanimously favorable.

ITEMS NOT OTHERWISE CLASSIFIED:

20. Request from KKOP for lease amendment.

RECOMMENDATION OF CITY MANAGER:

This office has no objection to granting the request. However, it should become effective only after the Certificate of Insurance required by the lease is filed with the City Clerk.

MOTION: Councilman Uerkwitz moved to grant the above request, subject to the City Manager's recommendation. His motion was seconded by Councilman Miller, and roll call vote was unanimously favorable.

SECOND READING ORDINANCES:

21. ORDINANCE NO. 2041.

At the request of Mayor Isen, City Clerk Coil presented for its second reading:

ORDINANCE NO. 2041

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE PROHIBITING THE USE OF PROPERTY IN THE DEL AMO BUSINESS DISTRICT UNLESS THERE HAS BEEN APPROVED A PRECISE PLAN OF DEVELOPMENT AND REPEALING EMERGENCY ORDINANCE NO. 2040 RELATING TO THE SAME MATTER.

Councilman Sciarrotta moved for the adoption of Ordinance No. 2041 at its second and final reading. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

ORAL COMMUNICATIONS:

23. Professor Ebarts, 117 Via Colusa, requested permission to use an unoccupied market at Sonoma and Madrid for an art studio; he has been advised that a variance is necessary, and it is his hope that this matter can be expedited via Council inasmuch as his present studio at 4507 Spencer has been sold.

Planning Director Shartle advised that the short cut variance procedure applies only to parking requirements, not situations as above. Discussion followed on improvements proposed for market property, the hardship aspect of the request, and the procedures required -- it was the consensus that the Planning Commission route would be necessary, and Professor Ebarts was referred to Planning Director Shartle for assistance.

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At 7:17 P.M. Councilman Sciarrotta moved to adjourn as City Council and reconvene as the Redevelopment Agency. The motion was seconded by Councilman Uerkwitz, and there were no objections. The Council returned to its deliberations at 7:25 P.M.

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24. Councilman Beasley reported at some length on the events of the recent convention of the National League of Cities at San Diego.

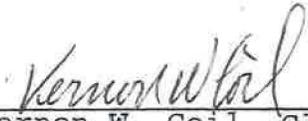
25. Councilman Sciarrotta referred to Ordinance B on the oil well tank situation and the fact that it has not been returned for the second reading. Mr. Sciarrotta requested that this be done, regardless of how the vote might go.

26. Mayor Isen stated that he may be absent from the December 9th Council meeting inasmuch as he plans to attend the Mayors Conference in Las Vegas.

27. Mr. Art Houck, 2365 - 235th Place, representing the Southeast Torrance Homeowners Association, commended the Council for the definite step on the library at Arlington, and expressed appreciation as well for the assistance furnished by City Librarian West.

The meeting was regularly adjourned at 7:40 P.M.

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

APPROVED:

  
 \_\_\_\_\_  
 Mayor of the City of Torrance

Ava Cripe  
 Minute Secretary

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