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Adjourned at 8:10 P.M. to 6:30 P.M., Tuesday, March 10, 1970.

* * * *

March 3, 1970

MINUTES OF A REGULAR MEETING
OF THE TORRANCE CITY COUNCIL

OPENING CEREMONIES:

1. CALL TO ORDER:

The Torrance City Council convened in a regular meeting on Tuesday, March 3, 1970, at 5:00 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. (It was necessary for Councilman Sciarrotta to leave the meeting at 7:41 P.M.)

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

3. FLAG SALUTE:

At the request of Mayor Isen, Mrs. Mary Jo McMullen led in the salute to the flag.

4. INVOCATION:

Reverend Robert Dehn, Chaplain, Golden Hours Convalescent Hospital, gave the invocation for the meeting.

STANDARD MOTIONS:

5. APPROVAL OF MINUTES:

Councilman Sciarrotta moved that the minutes of the regular meeting of February 17, 1970 be approved as recorded. His motion was seconded by Councilman Wilson, and there were no objections. (Councilman Uerkwitz abstained inasmuch as he was not present at the February 17th meeting.)

6. APPROVAL OF DEMANDS:

Councilman Beasley moved that all properly audited demands be paid. His motion, seconded by Councilman Johnson, 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 ordinance in regular order. The motion was seconded by Councilman Sciarrotta, and roll call vote was unanimously favorable.

8. COUNCIL COMMITTEE MEETINGS:

Public Works Committee -- Thursday, March 5th, 12:00 P.M.

COMMENDATIONS:

9. RESOLUTION expressing appreciation to the Del Amo Rotary Club for their donation of a handball wall for Entradero Park.

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

RESOLUTION NO. 70-48

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE EXPRESSING APPRECIATION TO THE MEMBERS OF THE DEL AMO ROTARY CLUB FOR THEIR DONATION OF A HANDBALL WALL FOR ENTRADERO PARK.

Councilman Uerkwitz moved for the adoption of Resolution No. 70-48, to be permaplaqued. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

10. RESOLUTION of the City Council of the City of Torrance expressing congratulations to Robert L. Curry on his promotion to Assistant to the President of Copley Newspapers.

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

RESOLUTION NO. 70-49

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE EXPRESSING CONGRATULATIONS TO ROBERT L. CURRY ON HIS PROMOTION TO ASSISTANT TO THE PRESIDENT OF COPLEY NEWSPAPERS.

Councilman Johnson moved for the adoption of Resolution No. 70-49, to be permaplaqued. His motion was seconded by Councilman Uerkwitz, and roll call vote was unanimously favorable.

11. RESOLUTION commending Dr. J.H. Hull, retiring Superintendent of the Torrance Unified School District, for his 23 years of dedicated service.

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

RESOLUTION NO. 70-50

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE COMMENDING DR. J.H. HULL, RETIRING SUPERINTENDENT OF THE TORRANCE UNIFIED SCHOOL DISTRICT, FOR HIS 23 YEARS OF DEDICATED PUBLIC SERVICE.

Councilman Wilson moved for the adoption of Resolution No. 70-50, to be permaplaqued. His motion was seconded by Councilman Sciarrotta, and roll call vote was unanimously favorable.

12. RESOLUTION honoring two citizens - Mrs. Marian Cummings and Mrs. John Shidler - for contributions to the City in the Fine Arts.

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

RESOLUTION NO. 70-51

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE EXPRESSING APPRECIATION TO MARIAN CUMMINGS, SOUTH BAY ARTIST, FOR HER OUTSTANDING CONTRIBUTIONS IN ADVANCING COMMUNITY AWARENESS IN THE FIELD OF FINE ARTS AND HER FINE COOPERATION IN PROMOTING THE JOSLYN CENTER OF THE ARTS.

Councilman Johnson moved for the adoption of Resolution No. 70-51, to be permaplaqued. His motion was seconded by Councilman Sciarrotta, and roll call vote was unanimously favorable.

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

RESOLUTION NO. 70-52

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE EXPRESSING APPRECIATION TO ROSEMARY DE CAMP SHIDLER, NATIONALLY KNOWN PERSONALITY AND LOCAL ARTIST, FOR HER EXCEPTIONAL VOLUNTEER WORK AND CONTRIBUTIONS IN THE FIELD OF FINE ARTS THUS BY ADVANCING THE CULTURAL PROGRAMS OF THE CITY OF TORRANCE.

Councilman Wilson moved for the adoption of Resolution No. 70-52, to be permaplaqued. His motion was seconded by Councilman Johnson, and roll call vote was unanimously favorable.

PRESENTATION:

13. Award of permaplaque to Mr. Leo David commending him for materially assisting law enforcement in the apprehension of two robbery suspects.

Formal presentation was made by Mayor Isen, on behalf of the Council and the citizens of Torrance, with appropriate remarks commending Mr. David.

39. RESOLUTION commending the Torrance Branch of the American Association of University Women for their effort in combating juvenile shoplifting.

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

RESOLUTION NO. 70-53

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE COMMENDING THE TORRANCE BRANCH OF THE AMERICAN ASSOCIATION OF UNIVERSITY WOMEN FOR THEIR EFFORT IN COMBATING JUVENILE SHOPLIFTING.

Councilman Uerkwitz moved for the adoption of Resolution No. 70-53, to be permaplaqued. His motion was seconded by Councilman Johnson, and roll call vote was unanimously favorable.

NONCONTROVERSIAL ITEMS:

14. EXPENDITURES OVER \$300:

RECOMMENDATION OF FINANCE DIRECTOR:

That Council approve the following purchases:

A. REIMBURSABLE:

1. \$628.00 to Jamison, Inc. for one only Jamison ball wall as requested by the Recreation Department for installation at Entradero Park. This complete unit is a gift from the Torrance Rotary Club; the project was previously accepted and approved by Council on February 24, 1970.
2. \$1310.40 to Hersey Sparling Meter Company for three only 2" Hersey water meters with bronze case and check valves on main and intermediate flow lines as requested by the Water Department for use at South Pasadena Plumbing Company and the Scottfield Building Corporation Service. Payment has already been received.

B. SPECIAL:

3. \$3537.67 to Campbell & Hall, c/o Harry R. Wilson, for 494 adult books and 14 juvenile books.

15. EXTENSION OF FROZEN FOOD CONTRACT - LARRY'S FROZEN FOOD COMPANY

RECOMMENDATION OF FINANCE DIRECTOR/PURCHASING SUPERVISOR:

That Council approve the renewing of the Torrance contract as requested by the Police Department to Larry's Food Products for an additional year to coincide with Los Angeles City's contract in accordance with the renewal option of the contract and not to exceed \$4384.00 for the renewed contract period.

16. AWARD OF CONTRACTS - 9 BUDGETED VEHICLE UTILITY BODIES (MOUNTED ON NEW CITY TRUCKS) REFERENCE BID #B70-7.

RECOMMENDATIONS OF FINANCE DIRECTOR/PURCHASING SUPERVISOR:

1. Recommend Bid Items 1 and 5 and 2 Dump Flat Bed Bodies and 1 only 5 cubic yard Dump Body be awarded to Garwood-L.A.

Truck Equipment Company in the amount of \$4351.20 including tax.

2. Recommend Bid Items 2 & 3 for 1 only 1-ton Utility Bodies and 3 only 3/4-ton Utility Bodies be awarded to Servis Truck Body Co. in the amount of \$4402.80 including tax.
3. Recommend Bid Item 4 for 1 only 3½ cubic yards be awarded to SABCO, Division of Peabody Galion Corp., in the amount of \$1415.40 including tax.

17. AWARD OF CONTRACT - for furnishing and installing budgeted Hydraulic Loader on City truck - Reference Bid #B70-4.

RECOMMENDATION OF FINANCE DIRECTOR/PURCHASING SUPERVISOR:

That, based on the combined judgments of the Street and Equipment Superintendents, and complete agreement by the Purchasing Supervisor, that Council accept the bid submitted by the California Tractor Company and award them the contract in the amount of \$7756.33 including tax.

18. SANITARY SEWER LATERALS in Del Amo Boulevard from Crenshaw Boulevard to Van Ness Avenue.

RECOMMENDATION OF CITY ENGINEER:

That \$20,000 be appropriated from the Sewer Revolving Fund for construction of sanitary sewer laterals in the subject area.

19. CLAIM of Boon An Chua for property damages.

RECOMMENDATION OF CITY CLERK:

That said claim be DENIED and referred to the City Attorney.

20. CLAIM of Marilyn and Allen Lipschultz for property damages.

RECOMMENDATION OF CITY CLERK:

That said claim be DENIED and referred to the City Attorney.

MOTION: Councilman Sciarrotta moved to concur with recommendations on items #14 through #20. His motion was seconded by Councilman Beasley, and roll call vote was unanimously favorable.

PLANNING AND ZONING MATTERS:

21. Letter from Richard G. Harris, legal advisor to Mr. Jack Dougherty, regarding rezoning of the latter's property and request to rescind Ordinance No. 2058 and No. 2059.

Sr. Deputy City Attorney Smith described needed revisions in the subject ordinances, and recommended that they be returned to the March 10th Council agenda, for second reading. Councilman Beasley so MOVED; his motion was seconded by Councilman Uerkwitz, and there were no objections.

Mayor Isen inquired if anyone wished to make a motion for reconsideration, as requested by Mr. Harris -- none was forthcoming. City Attorney Remelmeyer was directed to inform Mr. Harris that there was no motion for reconsideration and that the matter stands exactly as it was.

City Attorney Remelmeyer also confirmed that it was the Council's clear understanding, at the time of taking action on this matter, that the property was partially developed and partially undeveloped.

22. Letter from Architect William Burchfield regarding CUP 69-53, Harry Kissel Apartment Project.

Mr. Burchfield was present to request that CUP 69-53 be sent back to the Planning Commission for further consideration and recommendation -- this request being made on behalf of the proponent, Mr. Harry Kissel.

MOTION: Councilman Uerkwitz moved to concur with the above request to return CUP 69-53 to the Planning Commission. His motion was seconded by Councilman Beasley, and carried, with roll call vote as follows:

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

Mr. Burchfield confirmed that the applicant would pay the cost of readvertising, as is the usual procedure under these circumstances.

PERSONNEL MATTERS:

23. POLICE RESERVE CORPS.

RECOMMENDATION OF CITY MANAGER:

That the subject ordinance be adopted, noting that this additional Workmen's Compensation coverage will entail a premium payment of approximately \$18 per reserve officer or approximately \$900 a year. This additional cost would be reflected in the 1970-71 budget for the Police Department.

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

ORDINANCE NO. 2063

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE REPEALING ARTICLE 2, CHAPTER 5, DIVISION 1 OF THE TORRANCE MUNICIPAL CODE RELATING TO POLICE RESERVE CORPS AND SUBSTITUTING A NEW ARTICLE 2, ESTABLISHING A "POLICE RESERVE CORPS" FOR SAID CITY; AND PROVIDING FOR THE FUNCTIONING OF SAID CORPS AND OF THE MEMBERS THEREOF.

Councilman Johnson moved for the approval of Ordinance No. 2063 at its first reading. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

Mayor Isen commented on the wonderful movement represented by the Police Reserve Corps -- an unsung, unhonored group -- and a most worthwhile community activity. Its early history was recalled and described by Mayor Isen as well.

24. ASSISTANT POLICE CHIEF - Administrative Reorganization No. 12.

City Manager Ferraro advised that a request had been received from the Police Chief to hold this item, pending receipt of additional information.

It was determined that such information will be forthcoming from POST (Police Officers Standards of Training), and will require approximately one month to compile the necessary information.

Lieutenant Charles Oates, TPOA, stated this his organization has no real objection to the referring back of this matter, but feels that one month is too long a period of time, a considerable period of time having already elapsed in reference to this matter. Two weeks should be adequate, in the opinion of Lieutenant Oates, who noted that there are damages to people who should have been promoted because action is not taken. Chief Nash indicated that there is no desire to delay this matter; it is simply that POST is an authority who will make a study on the value and needs of this position in the Police Department, and time to do this is required.

MOTION: Councilman Beasley moved that the matter of Assistant Police Chief be referred to the City Manager, to be placed on the Council agenda in two weeks. The motion was seconded by Councilman Sciarrotta, and there were no objections.

* * * *

25. POLICE CHIEF EXAMINATION AND APPOINTMENT.

Communication from Civil Service Commission with regard to:
 (a) psychiatric and medical examinations for Police Chief eligibles; and (b) request for personnel session between City Council as a whole and Civil Service Commission.

At the request of Mayor Isen, Mr. Jack Salling, Chairman of the Civil Service Commission, presented the following prepared statement:

"The Commission requested a personnel meeting with your honorak body - the Council, by a majority vote, requested an open hearing - to delve into the circumventing by the City Manager of the medical and psychiatric examinations for Police Chief eligibles.

"At this time I would like to briefly state the facts and chain of events leading up to our recommendation that the City Manager be reprimanded for violating Civil Service rules and procedures.

"On September 25, 1969, there was a special meeting of the Commission -- Mr. Hooper moved, and Mr. Lamson seconded a motion to approve the medical and psychiatric evaluations for the top three eligibles; it was unanimously favored.

"On October 6, at our regular meeting, Commissioner Bowman moved, and Commissioner Lamson seconded a motion to approve the revised class specification for Police Chief and the vote was unanimously in favor of the revised class specification.

"On October 10th a memo was sent from the City Manager to the Personnel Director, dated 10/10/69, stating in effect the Personnel Department, or any City employee, is not to involve themselves in any phase of the Chief of Police examination.

"Four days later, on October 14th, the City Manager caused a letter to be sent to John Emery, manager of the California Personnel Services, stating Council ordered a promotional exam for the position of Police Chief, stating that the examination be kept entirely independent of the operations of the City; any inquiries shall be handled by the City Manager's office.

"On October 24th, at a special meeting of the Civil Service Commission, a motion to reaffirm the Police Chief examination to be handled as usual, with City Personnel Director to act as liaison between the Commission and the California Personnel Services. That was a unanimous decision at that time.

"On November 10th, at a regular Commission meeting, further discussion in regards to the merits of a medical exam and psychiatric evaluation were discussed -- Commissioner Hooper moved, and Mr. Bowman seconded, that a psychiatric examination was to be given as an additional tool -- it was unanimously approved.

"The Personnel Director was directed to prepare a new bulletin for the Chief of Police examination to include the information that

a psychiatric and medical examination would be administered.

"On Thursday, January 22nd, at a special meeting, Mr. Lamson moved, and Commissioner Hickcox seconded, to approve an eligible list for the Chief of Police. Discussion as to whether or not a new motion was necessary to carry out the administering of the medical and psychiatric resulted in the decision that it was not necessary, as Mr. Donovan said it was quite clear as to the wishes of the Commission.

"On Friday, January 23rd, the very next day, the Personnel Director was instructed to hold off on the medical and psychiatric testing for the time being; this was witnessed by Mr. Jackson, Mr. Scharfman, and was in the City Manager's office.

"On Wednesday, the 28th, the eligible list was certified by the Personnel Director, subject to the outcome of the physical and psychiatric evaluation. According to the Personnel Department it has been the procedure for the last ten years or so to certify eligible lists for the Police Department pending the results of the medical and psychiatric tests.

"On Monday, February 2nd, a memo was sent from the Personnel Department to the City Manager's office inquiring as to when to commence the medical/psychiatric testing.

"On Wednesday, February 4th, at 9:27 A.M. the appointment was announced, with Don Nash appointed as Chief of Police.

"On Monday, February 9th, in a regular Commission meeting, Commissioner Hickcox moved, and Commissioner Ruhlow seconded the motion to reprimand the City Manager for violating Civil Service procedures in the selection of the Chief of Police. Also, the minutes of this meeting were to be put on the addenda of the City Council meeting of February 10th, the following night. This motion was unanimously approved.

"On Wednesday, February 11th, a letter from the Chairman of this Commission requested that there be a personnel session with the City Council and the entire Commission.

"Tuesday, February 17th, Council passed a motion to meet with the Commission in open public meeting on March 3rd at 5:00 P.M. in the Council Chambers.

"That brings us to the current time. Gentlemen, it must be noted that the minutes of all the Commission meetings are sent to the City Manager's office, and that the Sr. Administrative Assistant, Leroy Jackson, was present at all Commission meetings pertaining to the Chief of Police testing.

"It is the feeling of the entire Commission that something should be done tonight by the City Council to alleviate any doubt in the City Manager's mind that any deviation from rules, regulations, and procedures of the Civil Service system will not be

tolerated by your honorable body, and that the integrity of the Civil Service system be maintained. We also feel that the last two phases of the examination should be carried out as prescribed by the Civil Service Commission."

Chairman Salling, on the conclusion of his remarks, invited questions from the Council.

Mayor Isen asked that City Manager Ferraro be heard at this time so that all the testimony would be before the Council.

A Chronological Summary prepared by Mr. Ferraro was distributed to the Council, followed by the comment that it should be established that he does not work for the Civil Service Commission; he is the appointing authority, the one who has the responsibility for making the appointment, and, as such, has no responsibility to the Commission insofar as their testing procedures are concerned. In the City Manager's opinion there is a communication problem with the person who is responsible to the Commission which has been transferred to him. City Manager Ferraro then referred to Page 3 of the Summary wherein it is noted that "Mr. Donovan expressed his opinion that the medical and psychiatric should be on the Bulletin if the Civil Service Commission wanted it to be a legal part of the testing." Further noted by Mr. Ferraro, on the same page, item 2)b) wherein the City Attorney stated "I think I have expressed myself to Donovan on this before... if you're going to give a psychiatric examination, I think you should give it as part of the examination process and there would be no question about its validity in such a case."

Next noted by Mr. Ferraro was Page 5 of the Summary:

"December 30, 1969 a) The City Attorney's Opinion, requested by the City Council on October 7, on the Police Chief examination was released. The Opinion, on page 2, states in part '....that fitness for promotion shall be made according to merit and fitness, to be ascertained as far as practicable by competitive examination.'"

Further specific note was made by City Manager Ferraro to b) on Page 5 of the Summary, which stated: "Later the Opinion states '....a psychiatrist probe of the applicant's mind certainly is an examination or other suitable test (per City Code Section 14.3.4) of those seeking the position of the Chief of Police. The Civil Service Commission, in our opinion, is by the wording of this City Code section the body designated by the Council to select and administer the 'suitable tests'."

Continuing, from Page 6 of the Summary, Mr. Ferraro noted: "Secretary Donovan stated that it was his understanding from the Commission's previous instructions, that a psychiatric, as well as a medical examination, 'would be given to the top three candidates as a matter of course,' and he did not feel any further action on the part of the Commission would be necessary at this time. Mr. Donovan added that he would contact Dr. Rankin again, however, to reaffirm that the psychiatric and physical examinations earlier referred to would be effected as scheduled."

A feeling that the Commission put him in the position of "damned if you do; damned if you don't" was expressed by City Manager Ferraro -- starting with a motion passed on October 24th which indicated that the examination process should remain under the supervision of the Civil Service Commission, and that all contacts with the examining agency should be continued through the City's Personnel Department, as has been the practice in the past -- the matter came before the Council, and, as a result, all contacts with the testing agency was to be through the Civil Service Commission.

Mr. Ferraro noted at this point that there has never been anyone in the City of Torrance, on a promotional examination, who has received a medical or psychiatric examination -- the only such examinations given are those which are entry level positions. A person coming in to an entry level position, Mr. Ferraro continued, a police officer, has no rights, and as a matter of convenience the Civil Service Commission has been certifying the list, following such certification and a background check, these applicants have been sent to the psychiatrist for examination. There is no appeal, and it is likely that this procedure is not proper, in Mr. Ferraro's opinion.

In a situation involving promotional candidates, City Manager Ferraro continued, it is now requested of him to conduct an examination in which he is the appointing authority; that this information should be used for his own purpose, but there is no right of review by the people being evaluated, with no way of knowing their status because of something which might be in the psychiatric test. Further, Mr. Ferraro questioned, suppose there is negative information in the psychiatric test -- what is the proper action -- if they are not qualified for Chief of Police, or Captain, etc., they certainly are not qualified to work for the City -- must he now file a charge based on this knowledge and eliminate a man's livelihood?

It was suggested by City Manager Ferraro that the position of the Commission's Secretary is a person who is supposed to be doing this examining process -- the person who does the coordinating. On his request for a list, Mr. Ferraro received a list, and it was not a qualified list -- the list stated: "The list of names for the Chief of Police of the City of Torrance be promulgated, as presented by the Cooperative Personnel Services." This list was received, with not one iota of qualm nor condition -- no secret was made of interviewing the candidates.

Interpretation of the Commission's comments regarding the psychiatric and medical, Mr. Ferraro stated, was that it was permissive and not directive -- he did not feel it was a condition of the appointment, noting that two other department head appointments had been made within the same period, the only medical examination involved being that of the Data Processing Manager, a new employee.

Further pointed out by Mr. Ferraro was the fact that there are not even medical standards for the Chief of Police -- the only medical standards existing in the City are those for the entry level position of Police Officer.

In conclusion, it was the comment of City Manager Ferraro that if the Charter makes the City Manager the appointing authority, and then to give the City Manager the power of testing, it is indeed a dangerous power; it is no longer a matter of appointing from a list, it is a matter of using other tests which have no review and appeal. The Civil Service Commission system has been set up for the reason that there is a testing agency and there is an appointing authority -- Mr. Ferraro does not feel it within his philosophy and his power to act as both the appointing authority and the person administering the test.

In response, it was the comment of Civil Service Commission Chairman Salling that the City Manager knew the intent of the Commission -- avoiding any legal hassle -- and regardless of whether he wanted to use the tools or not, it was the Commission's prerogative to make those tools available to him. As to a negative report and the possible need for dismissal of an employee, discharge would be the answer, according to Mr. Salling -- granted an unfortunate situation but action that must be taken in the best interest of the City. Mr. Salling reiterated that the intent of the Commission was abundantly clear to Mr. Ferraro; it is felt that the position of Chief of Police is the most sensitive in the City of Torrance.

Lieutenant Charles Oates, Torrance Police Department, stated that correction of some of Mr. Ferraro's statements are in order: physical examinations have been taken by promotional candidates, until just recently, this being part of Chief Koenig's policy. Further, review to the Civil Service Commission is possible by entry level Police Officers on medical findings. Lieutenant Oates also advised that TPOA supported the medical and psychiatric evaluations for promotion to the Chief of Police, and they concur with Chairman Salling's statement with regard to the sensitivity and strain on the Chief of Police position; only a top flight man should be in this position - it should be noted that it is felt Chief Don Nash is that man - but either the system works for everybody or let's not have it for anyone. In the opinion of Lieutenant Oates, City Manager Ferraro is aware of the process involving the list and testing procedures, which include physical and psychiatric examination, and it should be unnecessary to so remind the No. 1 personnel man in the City of the process.

Following discussion, it was the comment of City Attorney Remelmeyer that the question is whether or not the Commission had the authority to request that the three top candidates be given a medical and psychiatric examination for evaluation purposes -- in his opinion, they do not have that authority and were so informed by him. It was clarified by Mr. Remelmeyer that the Council had been advised that they had no authority to order the Commission to give any tests on this examination, and that is correct; the Commission did have authority to give those tests, if it had so desired to give those tests -- it did not give the test, it did not give a medical test to the candidates, it did not give a psychiatric test to the candidates. What the Commission did is tell the City Manager that he should use these tests as an evaluation tool -- that is not a test within the meaning of the prerogatives of the Civil Service Commission; there was nothing

to prevent the Commission from giving that type of test before certifying the list. Such testing would have required the adoption of standards, Mr. Remelmeyer continued, and the Commission itself would have had to finally ruled on the fitness of anyone to be promoted, based on the psychiatric exam -- but they did not do this.

It was the further comment of the City Attorney that if the rules permit the Commission to, in effect, order the City Manager, the appointing authority, to subject the top candidate to a medical exam before he is appointed, but that was not done here. The Commission stated that the medical and psychiatric tests could be used as an evaluation tool by the City Manager, hence it was left entirely to his discretion as to what he would do with this exam. Further, once the Commission certified a list to the City Manager, they have no authority to tell him to give any further tests; they have no authority, in Mr. Remelmeyer's opinion, had Mr. Donovan given the tests, to order the City Manager to use them -- the Commission would have had to use them as the basis for their determination that the candidates were fit to perform the job. Mr. Remelmeyer stated that he was present at the Commission meetings, and knew their intent, that Mr. Ferraro was to have the benefit of the medical and psychiatric exams as a tool for evaluating the ability of the three candidates to perform the job of Chief of Police.

As to the question of who is to give the examination, Mr. Remelmeyer advised that it must be, obviously, either the personnel testing agency or Mr. Donovan as Secretary of the Commission -- the City Manager is not a part of the administration of the test, and cannot be, according to the Charter. A further comment of Mr. Remelmeyer's was that direction relative to the testing could have been given by the Commission either to the Secretary of the Commission (a wearer of two hats) and one of the administrative arms of the Commission or to the personnel testing agency selected by the Commission; the City Manager is without authority to give such a test.

Sergeant Donnie Cook, Torrance Police Department, referred to the earlier references to medicals for promotional candidates, and the conflicting statements pertaining thereto, and clarified that he was ninth on the Sergeant list; he did not take a medical or psychiatric examination nor did any of the people ahead of him on this list -- the only time he has seen a medical examination called, in his 18 years with the department, is when a reason is being sought to either bypass or disqualify an individual; it is not a routine matter for a medical and psychiatric examination to be called for in a promotional examination for the Police Department.

Civil Service Commissioner Hickcox referred to an Opinion of the City Attorney, dated December 30, 1969, wherein it is stated that under City Code section 14.3.4: "It shall be the duty of the Civil Service Board to hold examinations and to administer other suitable tests, etc." Mr. Remelmeyer's answer: "The Civil Service Commission, in our opinion, is by the wording of this City Code section, the body designated by the Council to

select and administer the suitable tests." Mr. Hickcox added that Mr. Donovan was directed to carry on with the third and fourth phase of this examination -- the psychiatric and the physical examinations -- which Mr. Donovan agreed to take care of at the last regular meeting of the Commission.

Discussion followed as to the circumstances surrounding the subject tests. Personnel Director Donovan stated that the date on which the list was delivered to the City Manager, he inquired of the City Manager when he wanted the psychiatric and medical testing scheduled; Mr. Ferraro responded that he would let him know. A memorandum was sent one week later, on a Monday, by Mr. Donovan inquiring as to when the City Manager wanted the testing done; there was no reply, and the Police Chief appointment was made on the following Wednesday.

It was then stated by City Manager Ferraro that on January 25th Mr. Donovan contacted the City Manager's office in regard to this matter; Mr. Ferraro inquired at that time whether or not the City Manager was legally bound to give the requested examinations, and that it was Mr. Donovan's indication that he did not think the City Manager was legally bound to do so. Mr. Donovan did not say, Mr. Ferraro continued, that he would proceed with these examinations as an instruction of the Commission (it is not the normal procedure to request permission for medical examinations through the City Manager's office) -- with Mr. Ferraro indicating at that time that he would prefer Mr. Donovan hold off, this being January 25th. On January 28th, Mr. Donovan supplied the City Manager's office with a certified list of the top three candidates, without even a by-your-leave, according to Mr. Ferraro, without comment, or any reference that this was subject to certain examinations which he will schedule.

Continuing, City Manager Ferraro noted that on February 2nd the Personnel Director sent a memorandum indicating that they were still awaiting instructions regarding the psychiatric and medical examinations for the Police Chief eligibles, and to "please advise" -- Mr. Ferraro deemed this hardly carrying out a direction of the Civil Service Commission.

Next to speak was Mr. John Kirkpatrick, Civil Service Committee Chairman, TCEA and Engineers, who stated that the significant thing to be considered by this Council is the fact that five Civil Service Commissioners are present at this meeting, appointed by the Council on the basis of their integrity and value in making such determinations -- with many misunderstandings apparent relative to the Police Chief examination. Noted by Mr. Kirkpatrick was that Sr. Administrative Assistant Leroy Jackson represented the City Manager's office at the Civil Service Commission meetings, and that it must have been quite clear to Mr. Jackson that it was the intent of the Commission that the psychiatric and medical examinations be given to the top Police Chief candidates -- further, the intent was known to the City Attorney

Mr. Kirkpatrick further stated that the entire principle is based on the fact that the Civil Service Commission is indicating to the Council, in the strongest method available to them, that they

believe in upholding Civil Service, and have so indicated, whereas the City Manager has given indications in the past that he wants to modify the Civil Service system to what the employee groups feel is a deterioration for the Civil Service system.

A dilemma is presented, according to Mr. Kirkpatrick, based on misunderstanding -- the main feature the Council should realize is that the Council-appointed Civil Service Commission feels so strongly on this, based on the principles of Civil Service, admitting that there could be differences of opinion -- but the Commission took an action which was not followed out. The question now is, who believes that the intention of the Civil Service Commission should be followed in giving examinations in the City of Torrance?

At Councilman Miller's question regarding his knowledge of the Commission's intent, Mr. Ferraro responded that he was aware of the intent, but in view of the day-to-day basis of his tenure, based on a majority of the Council, for him to sit down with one or more members of the Council or the Commission responsible to the Council, is a form of harassment and a method of influencing his decision. Further pointed out by Mr. Ferraro was the fact that the day he wrote the letter to the testing agency, the secretary to the Commission felt so strongly about that letter that he asked the Commission to call a special meeting, at which special meeting the City Manager was instructed to stay out of the process -- Mr. Ferraro then suggested that that same intensity was not in evidence in regard to the medical/psychiatric examinations. Mr. Ferraro added that, despite Mr. Kirkpatrick's earlier remarks, the information obtained as a result of such examinations is a very dangerous tool, and an improper tool for his use.

Next to speak was Mr. Ray Saukkola, attorney at law, 2435 West 227th Street, who stated that he personally had been present at the Civil Service Commission meetings with respect to the Police Chief examination, and offered the following comments: The City Attorney did advise at one time the Civil Service Commission if as part of the testing procedure that a physical as well as a psychiatric examination would be given that it should perhaps be given to all candidates, and strictly from a legalistic point of view all 14 candidates should take the examinations. Mr. Saukkola added that the Sr. Administrative Assistant, Mr. Leroy Jackson, was at the Commission meetings espousing Mr. Ferraro's opinion with respect to such tests -- the Commission decided, because of the cost involved, that such tests to 14 candidates would be prohibitive; it was their clear intent that the top three candidates on the final list would be subjected to these examinations. It was Mr. Saukkola's opinion that at the time the City Attorney rendered his opinion to the Commission that Mr. Ferraro's representative should have communicated to the Commission that there is no intent to give such examinations to anyone, because at that point the Commission still had the authority to order all 14 candidates to take the examinations -- once the intent was known, and Mr. Jackson clearly knew it, the Commission had so expressed it, then the examination procedure continued further -- with the promulgation of the list, and the subsequent events involving the scheduling of the exams, with the entire matter becoming a moot point after the appointment of the Police Chief.

In conclusion, it was the comment of Mr. Saukkola that the question is one of basic integrity with respect to the Civil Service Commission -- the intent was known; it was known by Mr. Ferraro - why did he not tell the Commission while it still had the authority to decide whether or not they were going to require all 14 candidates to take the exams; it was at that time that Mr. Ferraro should have made it known that he did not believe in it - further, at that time the integrity of the system would have been intact and the Commission could have communicated with the Council.

Captain Phillip Wilson, Torrance Police Department, was next to speak, stating that he is one of the top three candidates in the Police Chief examination, and that he had attended the Civil Service Commission meetings, arguing at that time against psychiatrists because of his past experience with this particular psychiatrist -- but it was voted into effect by the Commission. Captain Wilson had expected that before the list was promulgated that he would be sent to have the medical and psychiatric exam; the matter did not come up again, the list was promulgated, and Captain Wilson thought it was over with and the City Manager had a complete choice. Further, Captain Wilson is of the opinion that the City Manager made a good choice, and that the City Manager did the right thing; he has followed the instructions when he gets a list promulgated by the Civil Service Commission -- when that happened, Captain Wilson added, it was his opinion that it has now been decided that they would not require the examinations.

There being no one else who wished to be heard, Councilman Beasley moved that the hearing be closed. His motion was seconded by Councilman Uerkwitz, and there were no objections.

Councilman Johnson stated that, in his opinion, the rebuttal of the City Manager is a complete exercise in double talk and evasion of the issue -- there is no question in Mr. Johnson's mind that Mr. Ferraro has acted along the legalistic lines but certainly not in the spirit of the intent of what was requested by the Commission. Mr. Johnson recalled the considerable pro and con discussion by the Council regarding the psychiatric examination, with reservations on the part of some of the Councilmen; yet, on a ruling from Mr. Remelmeyer, it was learned that that authority had been delegated to the Civil Service Commission. It is obvious from the Civil Service Commission minutes that it was their intent that the psychiatric and medical examinations be given to at least the top three candidates, very clearly stated in the presence of Sr. Administrative Jackson, etc. After all that had transpired in this matter, Councilman Johnson concluded, it seems to him that the City Manager should have further coordinated this with the Civil Service Commission, relaying his feelings in this regard, with a compromise perhaps achieved. But that was not done; the City Manager elected to ignore the desires of this Council and the Civil Service Commission with the making of the appointment; the spirit of the Commission and the things it represents to all employees has been flaunted, in Councilman Johnson's opinion, and the City Manager should be brought to justice for it.

Councilman Beasley commented that a lack of experience of some of the Civil Service Commissioners may have been a factor in this situation, adding that referring this matter to a psychiatrist or a medical examiner would be delegating the authority of the appointing officer to these people, and, in a sense, let them decide who is to serve as Police Chief. Councilman Beasley then stated that he approved of the action of the City Manager in the appointment of the Police Chief, in view of the fact that the Civil Service Commission has not set up any standards - either for the medical or psychiatric examination - acknowledging that the intent of the Commission was sincere and that they desired that this be done, but they failed to include it in the original examination; it was not a qualification of the certification, and it seems to him that rather than slapping the City Manager on the wrist, such wrist-slapping should be directed to the Personnel Director because of the haphazard manner of some of his activities and the fact that he has not properly advised the Civil Service Commission in certain respects. Many mistakes were made in this matter, Councilman Beasley concluded.

It was the comment of Councilman Miller that, in his opinion, the Personnel Director was in error in releasing the list without the examinations having been given -- the City Manager was in error in not clarifying the examination problem prior to the appointment, a problem being very obvious. This situation is particularly unfortunate in view of the excellent choice made for Police Chief -- more finesse in handling of the situation could have assured his starting on the right path. Councilman Miller stated that if reprimand is in order, then both the City Manager and the Personnel Director are to be so reprimanded for their failure to coordinate with full knowledge of the problems existing in this matter.

Mayor Isen recalled the earlier review of the Council relative to the psychiatric examination requirement, and the ruling of the City Attorney that the Council did not have jurisdiction in this regard; he did not favor such examination, but withdrew his objections in view of this ruling -- the result of all this has been recited in the foregoing lengthy testimony. In the opinion of Mayor Isen, Mr. Donovan is being made the scapegoat, the responsibility for this rests with City Manager Ferraro as the head man with corresponding salary.

Complete concurrence with the earlier remarks of John Kirkpatrick was stated by the Mayor -- the subject situation is one of flagrant violation of Civil Service policies -- the Civil Service system must be maintained and respected, and its policy making ability must be supported.

In conclusion, Mayor Isen stated that the policy and the wishes of the Civil Service Commission were well known, and admittedly well known to Mr. Ferraro -- the Commission is to be congratulated on bringing this to the attention of the Council and for sticking to their guns.

Mayor Isen thereupon MOVED that the Council concur with the unanimous recommendation of the Civil Service Commission and that

Mr. Ferraro should be reprimanded as to his activities in this particular matter as they related to the giving or not giving of psychiatric and medical examinations. The motion was seconded by Councilman Johnson.

There were further comments prior to roll call vote on the motion:

Councilman Sciarrotta stated that it is apparent to him that the intent of the Civil Service Commission was extremely clear, and, with his extensive service on that Commission and his wholehearted belief in the Civil Service spirit, he certainly has no intent to destroy same. There is a lack of clarity as to exactly where this matter fell through, but, in Mr. Sciarrotta's opinion, the City Manager did know that intent, and the position should not have been filled until the intent of the Commission was carried out.

In the opinion of Councilman Wilson this hearing has been a "kangaroo court", with needless taking to task of several very respectable people -- there is an air of confusion in all areas relative to proper roles and procedures that need to be followed. There is a need for clarification of the policy; Councilman Wilson certainly favors maintaining the Civil Service system, but he is also in sympathy with the task of the City Manager in being the final decision-maker, and cannot go along with the censure of only one person.

The responsibility of the City Manager in properly conducting City business was noted by Councilman Uerkwitz -- further, the City Manager has acknowledged the intent and that he overlooked that intent. It was suggested by Mr. Uerkwitz that a Personnel Session would be in order to review what appears to be total disruption between the City Manager's office and the Civil Service Commission so that these kinds of things do not continue to happen. Councilman Uerkwitz would have to go along with the motion for reprimand.

The motion carried, with roll call vote as follows:

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

Further action was taken in a MOTION offered by Councilman Miller: That the Council censure the Personnel Director. The motion was seconded by Councilman Beasley, and carried, with roll call vote as follows:

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

* * * *

The hour being 6:55 P.M. a five-minute recess was ordered by Mayor Isen.

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On resumption of the meeting, Mayor Isen returned to the matter just concluded, item #25, and suggested that the motion relative to Mr. Donovan was completely out of order.

In the opinion of the Mayor, subject to a ruling from the City Attorney, the Council does not have jurisdiction, Mr. Donovan being a member of the Civil Service System -- City Manager Ferraro is not. The law is very specific regarding reprimands - they come about by a process through the Civil Service Commission, and it would seem that the subject motion would be null and void.

Noted by City Attorney Remelmeyer was the fact that Mr. Donovan wears two hats -- one in his capacity as Personnel Director (over which City Manager Ferraro has jurisdiction) and one as Secretary to the Civil Service Commission. Mr. Remelmeyer stated that he would furnish an Opinion in this matter.

* * * *

26. CLASSIFICATION STUDY - LIBRARY DEPARTMENT - ADMINISTRATIVE LIBRARIAN AND PRINCIPAL LIBRARIAN.

Questioned by Councilman Uerkwitz was the data processing aspect referred to in the Classification Study, in view of the recent appointment of a Data Processing Manager. It was clarified by City Librarian West that the Library has been involved with data processing bureaus almost since its inception, while not working in data processing per se. What they are doing, Mr. West continued, is presenting the Library concept of what they would like to see accomplished by a computer -- the mechanics, the techniques and the complexities will properly belong to Mr. Sharp.

Outlined by City Librarian West were early experiences in data processing as related to the Library, and the savings that have resulted by use of the City service -- a service available to all departments, not merely the Library.

Discussion returned to the Administrative Librarian class specification and the reference "plans and directs data processing", and it was the consensus that the wording was wrong and should be revised to reflect that the responsibility would be administrative in nature and not in charge of data processing as such.

MOTION: Councilman Beasley moved to refer agenda item #26 back to the Civil Service Commission. The motion was seconded by Councilman Sciarrotta; there were no objections, and it was so ordered.

STREETS AND SIDEWALKS:

27. Extension of 235th Street at Maple.

Noted by City Manager Ferraro was the fact that Boise-Cascade has processed a building permit which makes it imperative that the City purchase the subject property, but funds present a problem. It was the consensus of the Council that it would be better to buy the property at this time rather than a later more costly date.

MOTION: Councilman Johnson moved that the condemnation be started. The motion was seconded by Councilman Beasley, and roll call vote was unanimously favorable.

REAL PROPERTY:

28. RESOLUTION authorizing execution of an agreement for the purchase of Parcel 2 required for the widening of Del Amo Boulevard (Crenshaw to Van Ness) - Phillip R. Kimes.

It was confirmed by Councilman Uerkwitz, prior to taking any action, that this will be a buildable lot, as a result of being adjoined to another parcel.

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

RESOLUTION NO. 70-54

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST THAT CERTAIN AGREEMENT FOR THE PURCHASE OF PARCEL NO. 2 REQUIRED FOR THE WIDENING OF DEL AMO BOULEVARD.
(Phillip R. Kimes)

Councilman Johnson moved for the adoption of Resolution No. 70-54. His motion, seconded by Councilman Wilson, was unanimously approved by roll call vote.

29. RESOLUTION authorizing the execution of a contract for appraisal services between the City and Christy J. Petrofanis (232nd Street right-of-way - Robinett property.)

Mrs. Betty Ponsford, 2306 231st Street, presented a prepared statement (a matter of record) protesting the subject resolution, and outlining further problems to be resolved by Sr. Deputy City Attorney Smith.

It was agreed that Mrs. Ponsford's report be reviewed by Sr. Deputy City Attorney Smith, with a report back to Council on March 10th.

30. RESOLUTION regarding vacation of certain storm drain easements granted by Dominguez Properties.

RECOMMENDATION OF CITY ENGINEER:

1. That the City Council waive the \$100 fee, pursuant to Section 74.7.1 of the City Code;
2. That the City Council approve and adopt the subject resolution ordering the vacation of the subject easements.

It was noted by City Manager Ferraro that this is a new procedure on storm drain easements, there being no Resolution of Intention, as provided by State law.

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

RESOLUTION NO. 70-55

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE ORDERING THE VACATION OF CERTAIN STORM DRAIN EASEMENTS GRANTED BY DOMINGUEZ PROPERTIES.

Councilman Sciarrotta moved for the adoption of Resolution No. 70-55. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

TRAFFIC AND LIGHTING:

31. Spur Track requested by Southern Pacific Transportation Company.

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

RESOLUTION NO. 70-56

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE GRANTING THE SOUTHERN PACIFIC TRANSPORTATION COMPANY, A CORPORATION, ITS SUCCESSORS AND ASSIGNS, A PERMIT TO CONSTRUCT, MAINTAIN AND OPERATE STANDARD GAUGE TRACKS OVER AND ACROSS BORDER AVENUE IN THE CITY OF TORRANCE.

Councilman Uerkwitz moved for the adoption of Resolution No. 70-56. His motion was seconded by Councilman Sciarrotta, and roll call vote was unanimously favorable.

ELECTION MATTERS:

32. RESOLUTION calling a General Municipal Election to be held April 14, 1970, establishing polling places, and appointing election officers.

At the request of Mayor Isen, City Clerk Coil read title to Resolution No. 70-47 (number previously assigned):

RESOLUTION NO. 70-47

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD IN SAID CITY ON TUESDAY, THE 14TH DAY OF APRIL, 1970, FOR THE ELECTION OF CERTAIN OFFICERS OF SAID CITY AS REQUIRED BY THE PROVISIONS OF THE CHARTER OF THE CITY OF TORRANCE; ESTABLISHING POLLING PLACES, APPOINTING ELECTION OFFICERS AND FIXING COMPENSATION THEREFOR.

Councilman Uerkwitz moved that further reading of Resolution No. 70-47 be waived. His motion was seconded by Councilman Sciarrotta, and roll call vote was unanimously favorable.

Councilman Miller moved for the adoption of Resolution No. 70-47. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

(Considered, out of order:)

COMMUNITY AFFAIRS:

34. RESOLUTION deploring neighborhood pollution and declaring intention to investigate the causes thereof and to enact legislation to provide remedies therefor within the scope of Council jurisdiction.

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

RESOLUTION NO. 70-58

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE DEPLORING NEIGHBORHOOD POLLUTION AND DECLARING ITS INTENTION TO INVESTIGATE THE CAUSES THEREOF AND TO ENACT LEGISLATION TO PROVIDE REMEDIES THEREFOR WITHIN THE SCOPE OF ITS JURISDICTION.

Councilman Wilson moved for the adoption of Resolution No. 70-58. His motion was seconded by Councilman Sciarrotta.

Prior to roll call vote on the above motion, a protest was registered by Councilman Beasley for Ethel Kovach, per her telephone request.

Concern was expressed by Councilman Uerkwitz, in that it seems to him this was the same type of approach used a few years ago in talking about the redevelopment area -- admittedly many of the intentions are good ones, but in Mr. Uerkwitz' opinion it could lead to the housing inspection problem a couple of years ago that necessitated the repeal of an ordinance. Pride of ownership cannot be legislated; this must come from the people themselves, and, Councilman Uerkwitz concluded, this kind of thing would be an invasion of the rights of people as to their private property.

Councilman Wilson advised that such is not the intent -- it merely states that there are certain standards to be maintained in the City, the deterioration that goes on within a city is such that those at Council level should be very mindful of maintaining standards, quality of living, and compatibility of zoning -- and that is all that is stated.

Mayor Isen deemed the subject ordinance on pollution the "most polluted" ordinance ever insofar as double talk is concerned -- the Mayor is opposed to pollution in every form, and most people favor maintenance of neighborhood standards, etc. Further noted by Mayor Isen was the reference to the "request jurisdiction in other levels of government to do all within their power to seek cures for neighborhood pollution and pass whatever laws are necessary to implement the work of the City in exorcising this cancer from America and upgrading the quality of our environment" -- this would serve to bring in another Project,

in Mayor Isen's opinion, and it is necessary that he cast a negative vote in this matter.

It was the suggestion of Councilman Miller, in an attempt to avoid controversy, that the resolution be returned to the City Attorney for rewording to make sure there is no question as to inspections, etc.

Councilman Miller made a SUBSTITUTE MOTION: That the subject resolution be referred back to the City Attorney for rewording. His motion was seconded by Councilman Sciarrotta, and carried, with roll call vote as follows:

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

Mayor Isen stated that his "no" vote is for the reason that it is a completely idle act and nonsensical.

* * * *

At 7:40 P.M. Councilman Sciarrotta moved to recess as City Council, and reconvene as the Redevelopment Agency. His motion was seconded by Councilman Uerkwitz, and there were no objections. The Council returned to its agenda at 7:41 P.M.

(It was necessary for Councilman Sciarrotta to leave the meeting at this time - 7:41 P.M.)

* * * *

PARK AND RECREATION:

33. Oral Communication by Dave Corman regarding new tennis courts.

Mr. Corman, 5001 Via El Sereno, representing the recently formed Torrance Tennis Club, stated that their major objective is to obtain more tennis courts in the City of Torrance. It is their hope that 7 tennis courts could be located atop the Walteria Reservoir -- Assistant City Manager Scharfman reported that an extensive study by Water Supt. Borgwat and Recreation Dir. Van Bellehem is already underway in reference to this matter. Mr. Corman was invited to join in this study by Mr. Scharfman.

ITEMS NOT OTHERWISE CLASSIFIED:

35. RESOLUTION of record destruction (all records microfilmed) authorizing the City Clerk to destroy certain City records, pursuant to Section 34090.7 of the Government Code.

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

RESOLUTION NO. 70-59

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 Uerkwitz moved for the adoption of Resolution No. 70-59. His motion was seconded by Councilman Miller, and roll call vote was unanimously favorable (Councilman Sciarrotta absent).

36. WATER METER ANTITRUST LITIGATION

RECOMMENDATIONS OF CITY ATTORNEY:

- 1. That the City join this litigation as a party plaintiff, and
- 2. That the City Attorney's office represent the City and be authorized to file and prosecute said action and incur reasonable costs and expenses therefor.

MOTION: Councilman Beasley moved to concur with the above recommendations of the City Attorney. His motion was seconded by Mayor Isen, and there were no objections. (Councilman Sciarrotta absent).

SECOND READING ORDINANCES:

37. ORDINANCE NO. 2060.

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

ORDINANCE NO. 2060

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING SECTION 97.9.13 OF THE TORRANCE MUNICIPAL CODE TO PROVIDE FOR THE RELOCATION OR REMOVAL OF OIL STORAGE TANKS WHICH VIOLATE SECTION 15.202 OF THE UNIFORM FIRE CODE.

Councilman Johnson moved for the adoption of Ordinance No. 2060 at its second and final reading. His motion was seconded by Councilman Beasley, and roll call vote was unanimously favorable (Absent: Councilman Sciarrotta).

38. ORDINANCE NO. 2062.

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

ORDINANCE NO. 2062

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING THE PROVISIONS OF SECTION 35.1.5 OF THE TORRANCE MUNICIPAL CODE CONCERNING PERMIT FEES AND DEPOSITS FOR CARD ROOMS AND CARD SCHOOLS.

Councilman Uerkwitz moved for the adoption of Ordinance No. 2062 at its second and final reading. His motion was seconded by Councilman Miller, and roll call vote was unanimously favorable (Councilman Sciarrotta absent).

ORAL COMMUNICATIONS:

39. Resolution for University Women - heard earlier in the meeting.

39A. City Manager Ferraro requested an Executive Session with the Council, his Staff, and the City Attorney be scheduled, the purpose of the meeting to be to receive instructions as to how to proceed with the wage and salary conferences soon to be held. It was unanimously agreed that this meeting be adjourned to Tuesday, March 10, 1970, 6:30 P.M., with the first order of business to be the Executive Session.

ADDENDUM ITEM:

40. Building and Safety Director McKinnon requested Council approval for award of Demolition and Site Clearance Contract for property located at Lot 1, Tract 588, 23201-03 Arlington Avenue. It is Mr. McKinnon's recommendation that Council accept the low bid of Roger Roy General Engineering Contractors (\$580.) and reject all others.

Councilman Beasley moved to concur with the above recommendation of the Building and Safety Director. His motion was seconded by Councilman Miller, and roll call vote was unanimously favorable (Councilman Sciarrotta absent).

ORAL COMMUNICATIONS:

41. Noted by Councilman Johnson was the communication of February 16th from the Independent Cities group relative to patrol car unit cost, and ^{he} urged that the Councilmen furnish the requested support. It was agreed that resolution or letter, whatever deemed appropriate by Councilman Johnson, would appear on next week's agenda.

42. Councilman Johnson requested that the City Manager obtain from the Finance Director a list of all those who will be requesting longevity pay in the Administrative group, as it relates to Resolution No. 70-35.

43. In keeping with the Council policy of publicly recognizing accomplishments of Torrance residents, Councilman Uerkwitz MOVED that a permaplaque resolution be prepared honoring Mrs. Roy Hovey as a recipient of a Freedom Foundation Award; his motion was seconded by Councilman Johnson, and there were no objections.

A like award received by Mr. Sam Stewart, Editor-in-Chief of the Daily Breeze, was noted by Mayor Isen who MOVED that the same permaplaque treatment be afforded Mr. Stewart. His motion was seconded by Councilman Uerkwitz, and there were no objections.

44. The improved traffic movement on Lomita Boulevard at Crenshaw, occasioned by the installation of "No Left Turns from 4 P.M. to 6 P.M." signs, was pointed out by Mayor Isen, with a bouquet to City Traffic Engineer Horkay for his speedy, effective action in this trying situation.

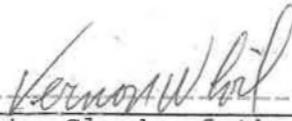
Mayor Isen requested that a letter be prepared, on behalf of the Council, thanking the City of Lomita for their cooperation on this matter and assuring them that Torrance will be happy to cooperate in their problems.

45. Lieutenant Oates, Torrance Police Department, stated that an agreement between TPOA and the Council was signed in 1968 stating that their salaries would be tied to the City and County of Los Angeles -- there have been reminders to the Council in the interim -- it was requested by Lieutenant Oates at this time that the Council grant the 5½% pay raise retroactive to January 1, 1970, in line with what has happened in Los Angeles.

A formal Opinion will be furnished by City Attorney Remelmeyer in two weeks in regard to this matter.

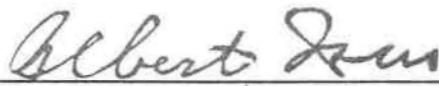
At 8:10 P.M. Councilman Beasley moved to adjourn to 6:30 P.M., Tuesday, March 10, 1970. His motion was seconded by Councilman Uerkwitz, and roll call vote was unanimously favorable (Councilman Sciarrotta absent).

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City Clerk of the City of Torrance

APPROVED:



Mayor of the City of Torrance