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Ava Cripe
Minute Secretary

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Adjourned at 12:10 A.M. to April 29th at 4:00 P.M.

April 28, 1970

MINUTES OF AN ADJOURNED REGULAR
MEETING OF THE TORRANCE CITY COUNCIL

The Torrance City Council convened in an Adjourned Regular Meeting on Tuesday, April 28, 1970, at 6:20 P.M. in the Council Chambers at Torrance City Hall.

Responding to roll call by City Clerk Coil were: Councilmen Johnson, Sciarrotta, Surber, Uerkwitz, Wilson, and Mayor Miller. (Councilman Brewster joined the Executive Session at 6:25 P.M.)

9. EXECUTIVE SESSION:

Councilman Sciarrotta MOVED to recess to Executive Session, to reconvene immediately following this session. The motion was seconded by Councilman Uerkwitz, and roll call vote was unanimously favorable (Councilman Brewster absent).

OPENING CEREMONIES:

1. CALL TO ORDER:

The Council reconvened at 7:00 P.M.

2. ROLL CALL:

Responding to roll call by City Clerk Coil were: Councilmen Brewster, Johnson, Sciarrotta, Surber, Uerkwitz, Wilson, and Mayor Miller. Absent: None.

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 Miller, Police Chief Nash led in the salute to the flag.

4. INVOCATION:

The invocation was given by Mr. Henry J. Moreau, First Church of Christ Scientist.

STANDARD MOTIONS:

5. APPROVAL OF MINUTES:

Minutes of April 21st not yet received.

6. APPROVAL OF DEMANDS:

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

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

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.

8. COUNCIL COMMITTEE MEETINGS - None.

9. EXECUTIVE SESSION (Page 1).

PRESENTATIONS:

10. AWARD OF PERMAPLAQUE congratulating Sam Stewart on receiving the George Washington honor medal award of the Freedom Foundation for his column entitled "Police on Campus, Cause and Effect".

Mayor Miller, on behalf of the Council, made the permaplaque presentation to Mr. Stewart with congratulations on his achievement.

11. Del Amo Rotary Club permaplaque.

(Not yet available; will be presented at a later date.)

* * * *

This being 4th Tuesday Homeowners Night - the Southwood Riviera Homeowners Association was recognized at this meeting - Mayor Miller introduced the president, Mr. Conway, who in turn introduced the officers of the Association, and then itemized some of the concerns of his membership: the Airport, the infrequent jets, high density apartment development, traffic problems presented by the opening of Anza, etc. Past cooperation from the Council was noted by Mr. Conway, and the appreciation of the homeowners was expressed by him; it is hoped that it will continue.

* * * *

PROCLAMATIONS:

12. "MARCH OF DIMES HEALTHY BABY DAY" - April 29, 1970.

13. "TORRANCE NIGHT" - in Anaheim Stadium, May 8, 1970.

14. "NATIONAL FIRE SERVICE RECOGNITION DAY" - May 9, 1970.

15. "SENIOR CITIZENS MONTH" - May, 1970.

Councilman Sciarrotta took this opportunity to read aloud a letter received by him from a Senior Citizen deploring their needs and the lack of facilities at the Herma Tillim Center, and recommending that a committee be formed to speak for Senior Citizens at Council meetings.

It was the request of Councilman Sciarrotta: (1) That the Park and Recreation Commission and/or the Recreation Director have the shortcomings of the Herma Tillim Center investigated, and (2) That the senior citizens citywide be contacted to form a Senior Citizens Committee of 5, such Committee to air their views and desires before the Park and Recreation Commission at stated intervals, with a report to follow to the Council. Councilman Sciarrotta so MOVED; his motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

16. "YOUTH EMPLOYMENT SERVICE (Y.E.S.) WEEK" - May 4-10, 1970.

Agenda items #12,13,14,15, and #16 were so proclaimed by Mayor Miller.

NONCONTROVERSIAL ITEMS:

17. EXPENDITURES OVER \$300:

RECOMMENDATION OF FINANCE DIRECTOR:

That Council approve the following purchases:

A. BUDGETED:

1. \$416.14 to GMC Truck and Coach for various GM replacement parts needed to repair City buses.
2. \$344.61 to Western Highway Products for 24 various "school-crossing" and reflective directional traffic warning signs as requested by the Traffic & Lighting Department for use at several City locations.
3. \$584.46 to Van Lingen Body Shop to repair a Dodge Van (Unit #8006), involved in a traffic accident.
4. \$582.04 to Lanco Engine Service for two air-cooled Wisconsin engines complete to be used as replacement units on park equipment as requested by the Park Department.
5. \$749.80 to Metrographics for 50,000 library 3-part snapout book order forms as requested by the City Librarian for use in ordering books for the City library system.
6. \$1228.50 to Xerox Corporation for 39 cartons of Xerox toner for electrostatic copier machines as requested by by Central Services Division.
7. \$324.32 to Bower Wholesale Company for 4,000 rounds of .38 caliber special "Federal" ammunition as requested by the Police Department.
8. \$393.91 to Remington Rand Office Systems for 24 boxes of pressboard folders and labels as requested by the City Clerk's office for use in their recordkeeping system.

9. \$339.78 to Albro Fire Equipment for various first aid supplies as requested by the Recreation Department for use at City parks during their summer programs.
10. \$3013.50 to Business Supply Corporation for 4-million IBM cards as requested by the Data Processing Department. This quantity represents annual usage. Delivery to be "as requested" in incremental quantities. This item was previously awarded in error to IBM for \$3,004.05 at the April 21, 1970 Council meeting. An oversight involved the costs for delivery charges which proved to be substantially higher from IBM than Business Supply Corp., because of the point of shipment. (IBM, Campbell, Calif.; Business Supply Corp., Los Angeles).
11. \$522.90 to Motorola Communications and Electronics, Inc. for two base station radios as requested by the Police Department to be used as replacement units in the Police Department.
12. \$415.52 to Gardena Flag for 15 California and 15 United States flags as requested by the Fire Department as replacement flags.
13. \$865.00 to General Drapery Company for furnishing and installing draperies in five offices on second floor of the new Police Building.

B. SPECIAL ITEMS:

14. \$324.98 to Grolier, Inc. for 21 adult books.
15. \$321.20 to Charles Scribners Sons for 13 adult books.
16. \$341.25 to Encyclopedia Britannica for 26 adult books.
17. \$2,511.90 to Campbell & Hall, c/o Harry R. Wilson, for 239 adult and 167 juvenile books.
18. Request of Lanco Engineering for a one-year extension in which to record Tentative Tract No. 23565

RECOMMENDATION OF CITY ENGINEER:
That subject request be approved.

(Note: At time of roll call vote on Noncontroversial Items, Councilman Johnson recorded an "ABSTAIN" vote on Item #18.)

19. FINAL TRACT MAP NO. 29156.
Subdivider: Don Wilson Builders (Westlake Apts.)
Engineer: Engineering Service Corporation
Location: 190th Street and Beryl Street
No. of Lots: 3

RECOMMENDATION OF CITY ENGINEER:
That subject final tract map be approved.

20. FINAL ACCEPTANCE OF SECOND FLOOR ADDITION TO TORRANCE POLICE DEPARTMENT.

RECOMMENDATION OF BUILDING AND SAFETY DIRECTOR:

That the additive Change Order No. 1 be approved, and that final payment be made to Harmann-Glass Construction Company, General Contractors, in accordance with subject contract for the project.

21. CLAIM of LaRue C. Thomas for property damages.

RECOMMENDATION OF CITY CLERK:

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

22. CLAIM of Cynthia L. Murphy for property damages.

RECOMMENDATION OF CITY CLERK:

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

23. CLAIM of Robert D. Thomas, Jennifer J. Thomas and Robert D. Thomas as guardian of Kimberly Thomas for personal and property damages.

RECOMMENDATION OF CITY CLERK:

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

24. AWARD OF DEMOLITION AND SITE CLEARANCE CONTRACTS for the widening of Del Amo Boulevard.

RECOMMENDATION OF BUILDING AND SAFETY DIRECTOR:

That Council accept the low bid as underlined in April 28th memo; for each location bid, and reject all other bids.

MOTION: Councilman Uerkwitz moved to concur with the recommendations on agenda items #17,18,19,20,21,22,23, and 24. His motion was seconded by Councilman Wilson, and carried as follows:

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

NOES: COUNCILMEN: None.

(Note: Councilman Johnson ABSTAINED on agenda item #18, with the comment that he may have a financial interest.)

Considered at this time, out of order:

COMMUNITY AFFAIRS:

51. Letter from the Torrance Tennis Club requesting permission to give an oral communication regarding Torrance's need for a tennis court complex.

Representing the Torrance Tennis Club, Mr. David Corman, 5001 Via El Sereno, first requested that the approximately 50 members present stand, and then went on to describe the activities of this club and their desire for adequate tennis facilities in the City of

Torrance, there presently being only seven tennis courts in Torrance to accomodate the residents of the third largest City and completely inadequate to take care of the many tennis players in Torrance.

The Tennis Club has, Mr. Corman continued, what it believes to be the perfect site for tennis courts -- the Walteria Water Reservoir -- this Reservoir would be ideal for the following reasons: it is an eyesore, a complete waste of fantastic City land which could be used so beautifully for recreational space; as of now the Reservoir is a dangerous area, vandalism has caused considerable concern, and a hazardous situation exists with the hatch covers -- further, the City would not be taking other valuable land for tennis courts, since the area is flat, construction costs would be saved on grading, etc.; there are no nearby residents so no noise complaints would result.

In conclusion, Mr. Corman stated that tennis is on a great upswing in Torrance, as evidenced by their club membership of some 250 people, and with more leisure time available, additional facilities are needed. A petition bearing 2,500 signatures was presented at this time by Mr. Corman -- these are people who are unhappy with the present tennis court situation and desire more courts for residents. Mr. Corman also indicated that they have the backing of the Park and Recreation Commission and the Water Department.

At the request of Councilman Uerkwitz, Water System Manager Borgwat confirmed the former dangerous situation relative to the hatch covers, but advised that security measures have since been taken -- problems are presented, however, during rainy seasons with washouts under the fence which make entry possible. Mr. Borgwat would favor a use that would curb this form of vandalism.

The cost (some \$136,000) of such an undertaking was reviewed by Councilman Uerkwitz; he inquired as to interest in going the bond issue route. Mr. Corman responded that he would have to check with his group. The Tipplers Tax and its unknown status was explained by Mayor Miller. An in-depth study by the Park and Recreation Commission was recommended by Councilman Sciarrotta; Mr. Sciarrotta noted the merits of a bond issue as well.

It was the comment of Councilman Wilson that the above comments are to serve as encouragement to these people -- however, it should be larger than just this one particular area; there are other park sites which could be included in a bond issue -- State and Federal funds should be investigated as well. Director of Recreation Van Bellehem clarified that in order to qualify for land and water conservation funds, it has to be regional in character, or must encompass more than one recreation activity; the deadline for application for such funds is now June, 1971; Mr. Van Bellehem also noted that there must be matching funds, in any event.

tennis

Noted by Councilman Johnson was the anticipated/revenue of approximately \$30,000 per year - this seems to him a very good basis for either the revenue bond concept or an advance loan. There have been many requests for additional recreational facilities, and it would be desirable for this tennis group to join with several other groups that are desirous of various facilities.

The vice president of the Tennis Club, Mrs. Jackie Andrews, advised that the \$136,000 figure is the absolute maximum cost for the proposed tennis courts; the Torrance Tennis Club arrived at a figure of \$99,000, which includes 7 seven tennis courts, a pro shop, restrooms, bleachers, etc. Mrs. Andrews added that one court was built at Hickory Park at a cost of \$20,000. There is no need for further review with the Park and Recreation Commission, according to Mrs. Andrews; they have spent considerable time working with the Commission, it being their formal recommendation two weeks ago that the subject courts be in the top ten priorities for the building and improvement funds for Torrance.

Mayor Miller pointed out that no action could be taken, in any event, until budget time, if it is to be a budget item; a bond issue is an entirely different matter. It was the Mayor's recommendation that this matter be referred back to Director of Recreation Van Bellehem to prepare as a budget item -- a note of warning was voiced by Mayor Miller as to the dire outlook for capital improvements.

Councilman Brewster stated that there is no indication of the annual maintenance expenditure in the report before the Council; he would like to see such a figure. Mr. Brewster added that the approximate \$33,000 net revenue would indicate a pay-back of three to five years, which is not too bad; however, it indicates that the Council would have to look at the budget procedure in a slightly different fashion -- a program budget, instead of annual budget. Councilman Brewster also ascertained from Mr. Corman that there is no indication that construction of private courts is contemplated for Torrance; the existing Palos Verdes courts are prohibitive.

MOTION: Councilman Sciarrotta moved that the subject matter be referred to the Recreation Director for thorough study and recommendation; that all fields be explored and every ramification in the above discussion be investigated. The motion was seconded by Councilman Wilson, and there were no objections.

Mayor Miller requested that Mr. Corman and an appropriate committee work with Director of Recreation Van Bellehem on this matter.

* * * *

The hour being 7:55 P.M., Councilman Sciarrotta moved to recess 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 agenda at 7:56 P.M.

* * * *

HEARINGS - PLANNING AND ZONING:

30. CUP 70-4, AERONCA, INCORPORATED.

To allow the addition of a noise abatement structure for use in the operation and test of jet engine components in an M-2 zone.
PLANNING COMMISSION APPROVED SUBJECT TO CERTAIN CONDITIONS.

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

Mayor Miller announced that this is a public hearing, and requested that the proponents present their case.

Councilman Uerkwitz handed two letters of protest to the City Clerk, to be entered into the record. City Clerk Coil noted that he had received 39 letters of protest, plus twenty calls this date. These were received and ordered filed, there being no objection.

Representing Aeronca, Mr. Carl Wise stated their desire to extend and expand their business; they have contracts for aircraft parts, one of which is enclosures for fan engines to be mounted on aircraft -- because of this they are growing, increasing employment, and part of a current contract is for pods with a reverser; to develop this it is necessary to run a fan engine with a reverser so that there may be development and check testing. To do this presents several requirements: their present equipment must not be destroyed with the amount of noise it would be subjected to; the employees must be protected from excessive noise; the surrounding residences must be protected as well as employees from other companies from excessive noise.

Mr. Wise further stated that they have carefully examined the situation and have engaged the services of a group who have installed noise suppression at the AiResearch Manufacturing Company which is very effective and used to solve exactly the same noise problem with which they are faced; this is running now and can be seen.

Noise surveys have been conducted, according to Mr. Wise, in the surrounding areas in which they have determined the existing noise along the border of Crenshaw and in other areas so that it might be ascertained what effect they have on the environment -- the objective, as stated at the Planning Commission, is to silence their installation to the point that it will be no louder than the traffic currently existing on Crenshaw Boulevard.

Mayor Miller questioned why this matter had not been routed through the Airport Commission. Airport Manager Egan commented that the land use concern had routed the matter directly to the Planning Commission; Mr. Egan acknowledged that it could be an Airport Commission matter, but pointed out that Aeronca's lease permits this function, adding that his main objective in this matter was to see to it that it was properly heard, that conditions were placed upon the matter, and that Council retained its jurisdiction. Mr. Egan further noted that normally such a request would be final before the Planning Commission; he had asked that it be forwarded to Council.

Some clarification was offered by Building and Safety Director McKinnon in that AiResearch has had this same installation for approximately four years, such installation being closer to homes than the one proposed by Aeronca, with not one complaint received. Mr. McKinnon also reported on his personal inspection of this installation with an engine running at full test - at approximately 100 feet it was possible to talk in very normal tones.

Mr. Richard Hall, 4622 Paseo de las Tortugas, president of the Riviera Homeowners Association, speaking on behalf of the Executive Board, objected to the following: the fact that this matter was not referred to the Airport Commission, and how can jet engines be tested without jet fuel? It is a known policy of this City Council that there is to be no jet fuel based at the Airport, yet if this Conditional Use Permit is granted, obviously there will be a need for jet fuel to make the tests; this exception to Council policy could provide a dangerous precedent and an opening door for other jet fuel being based at the Airport.

It was the comment of Councilman Johnson that the Council reference to jet fuel being based on the Airport is for commercial use, for flying in and refueling aircraft that land and take off -- this would be strictly a test type facility where there could be a barrel or similar arrangement, and is an entirely different kind of situation.

It was the consensus of the Council that this matter should be referred back to the Airport Commission for study and recommendation.

Next to speak was Mr. John Conway, 23326 Adolph Street, speaking for the Southwood Riviera Homeowners, stated the objections of his group to jet fuel storage on Airport property; the conditions specified by the Planning Department and Planning Commission pertaining to noise control are too vague to be of any value, and of the four requested conditions only one/^{which}says "operating hours from 8 to 5" (with no reference to weekends) means anything -- the other three indicate procedural desires but really do not have any meat to them.

It was the further comment of Mr. Conway that the work of the Noise Abatement Committee should be completed before these kind of facilities are allowed to be built in order that there be firm criteria upon which to base a decision. Further, this would be a bad precedent and result in pressures relative to the jet fuel. It was Mr. Conway's request that CUP 70-4 be denied by the Council and maintain the present no jet fuel policy; he presented 26 letters of protest and a petition of protest bearing 39 signatures at this time.

The attorney for Aeronca, Mr. William Sweeney, stated that they would have no objection to this matter being returned to the Airport Commission; this will give everyone a forum, and it is felt that the objections can be cleared up -- it is hoped that the matter can be expedited.

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

MOTION: Councilman Uerkwitz moved that CUP 70-4 be referred to the Airport Commission for their analysis and recommendations. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

It was the request of Councilman Uerkwitz that at the time of presentation to the Airport Commission the point brought out in the letters of protest that there are no decibel figures provided are valid; when this matter returns to the Council it should be accompanied

by that kind of exploration. Councilman Brewster commented that the intent of the survey was to provide such figures.

Mayor Miller requested that CUP 70-4 be forwarded to the Airport Commission immediately for earliest possible action.

* * * *

At 8:15 P.M. Mayor Miller ordered a 10-minute recess.

* * * *

Considered together:

25. ZC 70-1, BEN KAUFMAN.
Change of zone from M-1 to R-3, R-4, or R-5 on property located on the northwest corner of Emerald Street and Earl Street.
26. REVISION IN MASTER PLAN FOR THE VICTOR PRECINCT.
Consideration of a proposed revision to change the use from industrial to residential use on property located on the northwest corner of Emerald Street and Earl Street.
PLANNING COMMISSION RECOMMENDS DENIAL.

City Clerk Coil presented Affidavits of Publication for agenda items #25 and #26; they were ordered filed, there being no objection.

Mayor Miller announced that this is the time and place for the public hearing on items #25 and #36, and asked if anyone wished to be heard.

Mr. Ben Kaufman, 429 Calle Mayor, reiterated his extensive comments made at the Planning Commission hearings on this matter, and deemed this a ridiculous situation with a small piece of M-1 surrounded by R-3. Mr. Kaufman then presented a petition bearing approximately 200 signatures urging the rezoning of this area to R-5 or any residential use.

Next to speak was Mrs. Helen Markley, 20622 Mansel Avenue, who commented that manufacturing development would make the school routes hazardous for her children and would create traffic problems; rezoning of this area to residential would be her preference.

There being no one else who wished to be heard, Councilman Uerkwitz moved that the hearing be closed. His motion was seconded by Councilman Sciarrotta, and roll call vote was unanimously favorable.

It was the comment of Councilman Johnson that there have been continuous requests on property in this area on a piecemeal basis; Mr. Johnson would not go along with any rezoning on a piecemeal basis -- he then noted the fact that the Planning Department has recommended for some time R-5 zoning, and while this might be appropriate, he is not entirely convinced, and suggested further study by the Planning

Commission as to its future use. Councilman Uerkwitz concurred with a study of the area, but that does not handle the subject case; therefore:

MOTION: Councilman Uerkwitz moved to concur with the recommendation of the Planning Commission for DENIAL of ZC 70-1, with a request to the Planning Commission to study the entire area, and come back with a total package. The motion was seconded by Councilman Johnson.

Prior to roll call vote on the motion, discussion returned to the fate of this area, with Mayor Miller recounting the early history of this section -- an area now with a combination of industrial buildings, homes, apartments, etc. The time is now to try to salvage what is left, in the opinion of Mayor Miller

Councilman Brewster stated that he will abstain in this matter, on the advice of the City Attorney, having previously acted as a Planning Commissioner -- his sentiments are well stated in the minutes; nevertheless he would point out to the Council, with regard to the area-wide study, the Planning Commission is on record as to what their feelings are; they have been through that mill all too often; it is time Council took a stand on it.

Councilman Uerkwitz responded that if there is no updating to their thinking, that's what Council will have to do, because when their presentation is made, it will be up to the Council.

Councilman Uerkwitz' motion carried, with roll call vote as follows:

AYES: COUNCILMEN: Johnson, Sciarrotta, Surber, Uerkwitz,
Wilson, and Mayor Miller.
NOES: COUNCILMEN: None.
ABSTAIN: COUNCILMEN: Brewster.

As to agenda item #26:

MOTION: Councilman Johnson moved to concur with the Planning Commission recommendation for denial re: Revision in Master Plan for the Victor Precinct. The motion was seconded by Councilman Uerkwitz, and carried, with roll call vote as follows:

AYES: COUNCILMEN: Johnson, Sciarrotta, Surber, Uerkwitz,
Wilson, and Mayor Miller.
NOES: COUNCILMEN: None.
ABSTAIN: COUNCILMEN: Brewster.

27. ZC 70-3, TORRANCE PLANNING COMMISSION

Change of zone from C-2 and A-1 to R-1 and C-3 on property located between Hawthorne Boulevard and Madison Street, south of 227th Place. PLANNING COMMISSION RECOMMENDS APPROVAL.

Affidavit of Publication was presented by City Clerk Coil; it was ordered filed, and there were no objections.

Mayor Miller announced that this is the time and place for the hearing on ZC 70-3, and inquired if anyone wished to be heard; there was no response.

Councilman Sciarrotta moved that the hearing be closed. His motion was seconded by Councilman Uerkwitz, and roll call vote was unanimously favorable.

MOTION: Councilman Sciarrotta moved to concur with the recommendation for approval, subject to conditions, by the Planning Commission. His motion was seconded by Councilman Johnson, and roll call vote was unanimously favorable.

28. ZC 70-4, TORRANCE CITY COUNCIL.

Change of zone from C-3 (PP) and M-2 to H-M-D (PP) on property located on the south side of Lomita Boulevard, east and west side of Madison Street. PLANNING COMMISSION RECOMMENDS APPROVAL.

Affidavit of Publication was presented by City Clerk Coil; it was ordered filed, there being no objections.

Noted by City Manager Ferraro was the fact that the City may be able to acquire the old home and widen the street, at a cost of approximately \$800.00. A report on this will be forthcoming.

Mayor Miller announced that this is the time and place for the public hearing on ZC 70-4, and inquired if anyone wished to be heard.

Responding was Mr. Ludwig Keehn, representing the developers of the project, who requested that the Council send ZC 70-4 back to the Planning Commission for further study on several items. There were no objections to the request by the Council.

MOTION: Councilman Sciarrotta moved to concur with the above request, that this matter be sent back to the Planning Commission for reconsideration. The motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

29. V 70-1, RENE AND JEANNETTE LEVESQUE.

Request for a variance to the C-2 zone to allow remodeling of existing automatic car wash business at 16360 Crenshaw Boulevard. PLANNING COMMISSION RECOMMENDS APPROVAL SUBJECT TO CERTAIN CONDITIONS.

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

Mayor Miller announced that this is the time and place for the public hearing on V 70-1, and inquired if anyone wished to be heard.

Representing the proponents, Mr. Richard Haglund outlined the proposed development plans for the subject car wash, which will result in a modern, highly attractive building which will benefit the City, the neighborhood, and improve services to people in the area.

Future development of an adjacent service station was reviewed by the Council -- it was noted that the Conditional Use Permit request before the Planning Commission will afford the necessary integration control.

The hours of operation set out by the Planning Commission (9:00 A.M. to 6:00 P.M.) were discussed by Mr. Haglund, with the comment that the car wash presently is open between 8:30 A.M. and 5:00 P.M. and that these hours would be preferable. There were no objections to the request, inasmuch as this has been the practice for some 12 years.

There being no one else who wished to be heard, Councilman Sciarrotta moved that the hearing be closed. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

MOTION: Councilman Johnson moved to concur with the recommendation of the Planning Commission for approval, subject to conditions, with the modification of condition #7 that the hours of operation be limited to between 8:30 A.M. in the morning and 5:00 P.M. at night....., with further approval of the minor modification resulting in one 45-foot driveway. The motion was seconded by Councilman Uerkwitz, and roll call vote was unanimously favorable.

30. CUP 70-4, AERONCA, INCORPORATED.

Heard earlier in the meeting.

31. V 70-7, DANIEL WELLS.

Variance to the off-street parking ordinance to allow the construction of an addition to a single-family residence without providing a garage. PLANNING COMMISSION RECOMMENDS APPROVAL SUBJECT TO CERTAIN CONDITIONS.

Affidavit of Publication was presented by City Clerk Coil -- it was ordered filed, there being no objections.

Mayor Miller announced that this is the time and place for the public hearing on V 70-7.

The proponent, Mrs. Patricia Wells, explained that the desired addition is to accommodate some 12 foster children, noting that agenda item #53 pertains to this request as well.

City Manager Ferraro advised that there is a problem in that the existing building if there are to be more than five children. Director of Building and Safety McKinnon clarified that under both the zoning regulations and the building regulations when there are more than five people unrelated by blood or marriage, the building comes under different requirements than does a residence -- the same general conditions as for a nursery school would prevail -- and major changes to the structure are necessary. Mrs. Wells advised that they are aware of this, and it has been done.

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

Questioned by Mrs. Wells was the possibility of expanding to 15 children on occasions where there is need for special care and attention until a permanent home is found. It was the comment of Fire Chief Lucas that his Fire Marshall recommends that the children be held to 12 and not expanded to 15, although 15 are permitted under the State law. Discussion followed, it being pointed out by City Manager Ferraro that the matter of 15 children has never been before the Planning Commission.

Action was taken on ITEM #31:

MOTION: Councilman Wilson moved to concur with the recommendation of the Planning Commission for approval subject to conditions. His motion was seconded by Councilman Brewster, and roll call vote was unanimously favorable.

As to ITEM #53:

MOTION: Councilman Johnson moved to concur with the recommendation of the License Review Board that the request of Mr. and Mrs. Daniel Wells for a foster home for twelve children be approved. The motion was seconded by Councilman Sciarrotta, and roll call vote was unanimously favorable.

32. ZC 69-32, WILLIAM M. JOW.

Change of zone from C-2 to C-3 on property located on Redondo Beach Boulevard approximately 400 feet east of Van Ness Avenue. PLANNING COMMISSION RECOMMENDS DENIAL.

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

Mayor Miller announced that this is the time and place for the public hearing on this matter.

The proponent was not present.

A property owner at 1602 Van Ness commented on the number of times this property has been before the Planning Commission -- in this case a car wash is desired, and since there is to be a lovely car wash a half mile to the west on Crenshaw, he is entirely in agreement with the Planning Commission that the zone change should be denied and continue to be denied until such time as a compatible usage might present itself.

There being no one else who wished to be heard, Councilman Sciarrotta moved that the hearing be closed. His motion was seconded by Councilman Uerkwitz, and roll call vote was unanimously favorable.

MOTION: Councilman Uerkwitz moved to concur with the recommendation of the Planning Commission for DENIAL of ZC 69-32. The motion was seconded by Councilman Johnson, and roll call vote was unanimously favorable.

Considered, out of order, at this time:

REAL PROPERTY:

43. RESOLUTION finding and determining public interest and necessity require acquisition of certain real property for public street purposes (Ocean Avenue at Sepulveda Boulevard - Millard).

Present on this matter was Mr. A. Rogers Stoneman, 500 Newport Center Drive, Newport Beach, who read a prepared statement (copy furnished City Clerk Coil, for the record) outlining the series of events relative to Mrs. Millard's property, starting in October, 1968 with the granting of a Conditional Use Permit to Great Lakes Properties, Inc., a subsequent agreement with J.C. Penney, Inc. to pay one-half the cost of acquisition of the Millard property, to the present date; outlined as well was the conduct of City officials during this period in their failure to properly inform Mrs. Millard of the City's intention, including notification of the Council meeting this date. Further, there has been no reply to his letter of April 1, 1970 directed to the City Manager, according to Mr. Stoneman, and it is hoped that the Council does not endorse such callous conduct which excludes any possibility of free expression of other points of view by interested parties.

Clarification was furnished by Assistant City Manager Scharfman in that the design was not final for some time - there was an outside possibility that Mrs. Millard's house would not have to be taken by the City, and there was some hesitation to speak to her about this matter because of her advanced age. However, when it was finally determined that the house must be taken, the house was appraised, the negotiator for the City visited Mrs. Millard and made her a concrete offer based upon the appraisal. Mr. Scharfman further advised that Mr. Stoneman had visited his office at which time he was treated very courteously and given all the facts -- the above referred to letter of April 1st unequivocally refused the City's offer and indicated that there would be no further negotiations; hence this agenda item to condemn the property so the City can get on with the acquisition.

Mr. Stoneman responded to Assistant City Manager Scharfman's remarks stating that Mrs. Millard was contacted by Mr. Lawrence Brown on October 29, 1969 and that he was shocked to learn of Mrs. Millard's lack of knowledge in this matter. Mr. Stoneham then read from the Council minutes of October 29, 1968 with reference to the application of Great Lakes Properties for the Conditional Use Permit wherein the treatment of Ocean Avenue and Sepulveda Boulevard, the realignment thereof, and the installation of a traffic signal, with financial contributions by the proponents, is clarified; there is further reference to "another item, on which there is complete agreement, which pertains to the dedication of a portion of land for 100 ft., i.e. the westerly-most driveway on Sepulveda. Mr. Volpert stipulated his understanding that this dedication will be part of the condition." Mr. Stoneman pointed out that the above referred to 100 ft. at that meeting is the same 100 ft. now referred to for the roadway to service the J.C. Penney parking lot.

Mayor Miller directed at this time that whenever there is an agenda item of this nature, regardless of the status of the negotiations, that the interested parties be notified so that a proper presentation may be made.

Mr. Stoneham then referred to his April 1st letter; it certainly did not preclude negotiations -- it stated that Mrs. Millard's property was for sale at a price of \$50,000, and, further, that they were not in agreement with the circumstances existing in this case to empower the City to acquire this property through the use of eminent domain proceedings.

Added by Mr. Stoneman was the fact that the City had been notified that his firm was representing Mrs. Millard in this matter; notification of the action proposed at this meeting came about only because he sent certified letters to City Clerk Coil and personally obtained copies of the agendas. Aside from the poor policy, the main point in issue, Mr. Stoneman continued, is that the Council proposes to vote on whether to take certain real property for public street purposes; it is his contention that this is not a taking for public purposes, it is not in the public interest, and public necessity does not require it. Further noted by Mr. Stoneman was the fact that in condemnation proceedings the City Council is empowered to make a determination as to public necessity; the courts cannot take issue with such determination. Mr. Stoneman reiterated his feeling that this is not a public street, it is not going to go anywhere except into the J.C. Penney "Treasury" store, it is only 100 ft. long, which does not seem to represent a public street.

It was the recommendation of City Attorney Remelmeyer that if it is the determination of the Council that they want this property for the widening, then the subject resolution should be passed -- that point can be argued in court. Mr. Remelmeyer added that he had authorized this condemnation after it was learned that the offer made, based on the appraisal, had been rejected; in the opinion of Mr. Remelmeyer there was no use to negotiate in view of the wide discrepancy between the appraisal (\$29,500) and the amount asked by Mr. Stoneman; negotiation would not be in the public interest.

At Mr. Stoneman's request, City Attorney Remelmeyer confirmed that a Council determination as to public necessity could not be litigated in court, and that Mr. Stoneman would be precluded in court. The matter to be litigated, according to Mr. Remelmeyer, would be as to public use.

Councilman Uerkwitz stated that it was his understanding that there was some agreement with this party, and that contact had been made, and is somewhat in the dark as well on this matter; however, the action was that the street was necessary because of the intersection involving Ocean Avenue. Mr. Uerkwitz added that the asking price of \$50,000 indicates an unwillingness to negotiate; Mr. Stoneman reiterated that they had not been contacted and stated that this is not an "end of the line" offer, but there has never been any contact whatsoever.

City Traffic Engineer Horkay explained, at the request of Councilman Wilson, that the condemnation is mainly needed for the widening of Sepulveda. Also pointed out by City Manager Ferraro was that the proposed street is going to go through to Carson Street. The problems surrounding Ocean Avenue were reviewed; Mr. Stoneman advised that he had had no such information.

In an effort to determine the feelings of the Council in this matter, Mayor Miller asked that the City Clerk assign a number and read title to:

RESOLUTION NO. 70-93

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE FINDING AND DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE THE ACQUISITION BY THE CITY OF TORRANCE OF THE FEE SIMPLE TITLE IN AND TO CERTAIN REAL PROPERTY IN SAID CITY FOR ANY PUBLIC USES AND PURPOSES AUTHORIZED BY LAW AND FOR USE FOR AND IN CONNECTION WITH PUBLIC STREET PURPOSES; AND DIRECTING THE CITY ATTORNEY TO BRING AND PROSECUTE AN ACTION IN THE SUPERIOR COURT FOR THE CONDEMNATION THEREOF.

(Ocean Avenue and Sepulveda Boulevard - Millard)

Councilman Wilson moved for the adoption of Resolution No. 70-93. The motion was seconded by Councilman Sciarrotta.

Prior to roll call vote on the motion, Councilman Uerkwitz asked the City Attorney if there were any purpose in further negotiations -- Mr. Remelmeyer responded that he could see none; he is not going to pay someone more than the appraised price, he has no logical basis for so doing. Mr. Stoneman then inquired if it is common for a private concern to participate with the City in the purchase of property -- Mayor Miller ruled the question out of order in view of the possible forthcoming litigation in this matter.

Roll call vote on the resolution was undertaken, but not completed, as follows: AYES: Councilmen Brewster, Johnson, Sciarrotta. NOES: Councilmen: Surber, Uerkwitz.

At the time of his "no" vote Councilman Uerkwitz commented that he was so voting for the reason that he believes the gentleman has a point in the lack of communication; however, he is at a loss to know how this is to be resolved. City Attorney Remelmeyer requested a "yes" vote if the condemnation is desired inasmuch as there will be a problem in court without sufficient vote of the Council, with a year of litigation and many man hours in court -- if the property is desired, then vote to acquire it. Mr. Stoneman interjected that perhaps the Council should have an opportunity to appraise all of the facts, and suggested that action on this be delayed until all the pertinent facts can be considered.

In deference to the Councilmen voting "no" and the further fact that there would be a split vote in court, Mayor Miller recommended that this matter be held until all the facts are obtained for the information of the Council.

It was the comment of Councilman Brewster at this point that his concern is not for the J.C. Penney drive but it is for the widening of Sepulveda and the improvement of a terrible situation on Ocean Avenue.

Councilman Wilson thereupon withdrew his motion, as did Councilman Sciarrotta his second.

A MOTION was then offered by Councilman Uerkwitz that this matter be delayed for two weeks to further pursue the facts in the case. His motion was seconded by Councilman Sciarrotta, and roll call vote was unanimously favorable.

* * * *

At 9:35 P.M. Mayor Miller ordered a recess to permit the Council to go into Executive Session. They returned at 10:00 P.M. to consider:

* * * *

PLANNING AND ZONING MATTERS:

33. Formal request from Mr. Jack Dougherty to rescind Ordinance No. 2064.

RECOMMENDATION OF PLANNING DIRECTOR:

That Council not rescind Ordinance 2064.

MOTION: Councilman Uerkwitz moved to file the subject request. The motion, seconded by Councilman Wilson, carried as follows:

AYES: COUNCILMEN: Brewster, Johnson, Sciarrotta, Surber, Uerkwitz and Wilson.

NOES: COUNCILMEN: None.

ABSTAIN: COUNCILMEN: Mayor Miller (owns a residence within 300 ft. of subject property)

34. ORDINANCE declaring a moratorium on the construction of buildings and structures on property located at 2116 Santa Cruz Court and declaring the presence of an emergency.

Communication from Planning Department regarding the proposed building moratorium on property located on the south side of Santa Cruz Court, 120 feet east of Orange Avenue.

Petition from the homeowners of Santa Cruz Court regarding the R-3 rezoning on their street to R-2.

Mayor Miller announced that he would abstain on Item #34, his office having represented a seller in the subject area; accordingly, the gavel was turned over to Mayor Pro-Tem Uerkwitz who conducted this matter.

At the request of Mayor Pro-Tem Uerkwitz, City Clerk Coil assigned a number and read title to:

ORDINANCE NO. 2076

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE DECLARING A MORATORIUM ON THE CONSTRUCTION OF BUILDINGS AND STRUCTURES ON PROPERTY LOCATED AT 2116 SANTA CRUZ COURT AND DECLARING THE PRESENCE OF AN EMERGENCY.

Prior to taking action on the ordinance, Mayor Pro-Tem Uerkwitz invited discussion.

First to speak was Mr. Richard Meadows, 2108 Santa Cruz Court, who stated that he represents 100% of the residents of this street. It is their feeling that under the present zoning (R-3) an apartment complex can be built on the south side of the street, which will be undesirable as far as the residents are concerned. There are many reasons for their objections -- parking, turning into driveways, etc. to support a zone change.

Mr. Fred Gaurier (?), 2100 Santa Cruz Court, also favors the rezoning -- this is a substandard street, a dead-end (not a cul-de-sac) street; his front yard and driveway are presently being used as a cul-de-sac, as well as those of his neighbors to the left and right, which has resulted in damages to their property. Further, there is a nearby school, and sports activities create parking problems.

Pointed out to the Council by City Attorney Remelmeyer was the fact that this is not the time to determine whether or not the subject property should be rezoned; this is to declare a moratorium on the property to maintain the status quo pending the proceedings by the Planning Commission.

Mr. Walter Kroneberger, representing Mr. Frank Scarfeld, 2752 Orange Avenue, which is the corner lot next to the subject property, stated that a criminal ordinance is not necessary to keep one of eight lots on Santa Cruz Court from doing something drastic or criminal between now and the passage of 90 days. A valid defense, Mr. Kroneberger continued, to the change from R-3 to R-2 might well be that they were not notified of any part of this hearing and the further fact that this family unit on the corner of Orange and Santa Cruz is the same family unit that owns the lot in question -- for 16 years they have been taxed as R-3 -- it having been decided in 1965 that the lot might be split.

This matter is on the Council agenda at this time. Mr. Kroneberger continued, because someone spotted some stakes last October, which was the date work started on improvement of

the curb line (a condition of the aforementioned lot split). Mr. Kroneberger then outlined the effect of the proposed moratorium which will result in a situation which will allow only two families on a lot, they are in a position to sell a buyer tomorrow a lot which could house four people, it having been acknowledged by the Planning Director that the subject property could house only four units -- to change the zone, as desired by the residents, only two units would be permitted.

Mr. Kroneberger further stated that Mr. Meadows earlier statement that he represented 100% of the residents is incorrect -- the true statement is that the other side of the street represents 210 ft. out of 330 ft. -- so there is well over two thirds on one side of the street with a stand that a criminal ordinance should not be enacted.

It was the comment of Councilman Johnson at this point that there may be some intent on the part of the landowners to sell this property as R-3 even while it is under the prospect of a zone change -- it is, therefore, necessary to put a stop on it now to protect an innocent purchaser from buying the land about the time a zone change may come about; Councilman Johnson will support the moratorium.

Mr. Wesley Lewis, 2123 Santa Cruz Court, referred to the petition presented by Mr. Meadows and his comment relative to 100% of the residents on Santa Cruz Ct., and the reference by Mr. Kroneberger to the vacant two thirds of the street -- the Scarfields' address is Orange Street; the only vacant property is at 2116 Santa Cruz Court, the piece of property in question. Further, why the objection to the moratorium if there is no intent to sell?

Mr. Kroneberger returned to review the history of the lot split, as well as the criminal aspects of the proposed ordinance.

Councilman Brewster pointed out that all the lots facing Santa Cruz are presently zoned R-3, all with single family developments on them at the moment -- it was the further comment of Councilman Brewster that he does not see how a moratorium can be put on one piece of property on that street without putting it on all; they are all R-3 and all are developed in the same manner -- why pick on this one individual?

Noted by City Attorney Remelmeyer was the fact that it is unusual to so vigorously protest a moratorium ordinance -- the ordinance does not prohibit the sale of the property -- it is merely a moratorium on the building permit, which must be done by ordinance from a legal standpoint to overrule the Building Code.

It was the general consensus of the Council that there was merit to Councilman Brewster's remarks -- that the ordinance be returned covering the entire block. The City Attorney was so directed.

MOTION: Councilman Sciarrotta moved for the adoption of Emergency Ordinance No. 2076 at its first and only reading; it being clarified that the subject ordinance will be returned encompassing the entire area. The motion was seconded by Councilman Johnson, and carried as follows:

AYES: COUNCILMEN: Brewster, Johnson, Sciarrotta, Surber,
Uerkwitz, and Wilson.
NOES: COUNCILMEN: None.
ABSTAIN: COUNCILMEN: Mayor Miller.

PERSONNEL MATTERS:

Considered together:

35. Administrative Reorganization No. 12 - Assistant Police Chief - Police Department.
36. ADMINISTRATIVE REORGANIZATION NO. 12.
ORDINANCE - for Alternative No. 2 (Deputy Chief)
ORDINANCE - for Alternative No. 3 (Status quo)
ORDINANCE - for Alternative No. 4 (Chief pro tem)
ORDINANCE - for Alternative No. 5 (Assistant to Chief)

It was the comment of Councilman Johnson that he has supported the general idea of an Assistant Police Chief; however, in reading the material furnished by the Captains, the report, etc. it was his recommendation that instead of hiring the Assistant Chief (or whatever the title) one Captain be named with the idea of splitting Traffic and Patrol -- the present Captain over those two divisions to remain to serve one of the divisions, the new Captain to be established for the other one -- this represents a compromise solution, and would help to bring along some of the Lieutenants, Sergeants, and Patrolmen and would give a better overall control in the department. Councilman Johnson so MOVED. The motion was seconded by Councilman Surber.

Councilman Uerkwitz indicated that he wished to make a SUBSTITUTE MOTION, referring to Item #36 and the several alternatives offered. Councilman Uerkwitz stated that he could not agree with Mr. Johnson basically because he does not see the need; the report points out that the existing structure is adequate for the present time -- Mr. Uerkwitz can see, for the future, a need for a different type of organization which may encompass the splitting of the divisions when the department has reached that size. But everything in the report, plus the comments of management, on the Police Department size that the present setup is adequate and to add another person to that staff for the sake of the future at this time would be rather difficult because of the situation money-wise.

Thereupon Councilman Uerkwitz made a SUBSTITUTE MOTION that the Council adopt Alternate #3, Ordinance B (status quo). The motion was seconded by Mayor Miller, with the comment that the City has a new Chief, and this is the organizational setup

desired by him, and the Council should support him in this respect inasmuch as he is running that department and should have the opportunity to operate that department according to his methods. The City's past experience with an Assistant Police Chief was pointed out by Mayor Miller, as were the problems created thereby. The Mayor also referred to the action recommended by Councilman Johnson involving the creation of a new position, which will move people up the ranks and only add to the acute financial problems faced by the City.

Noted by Councilman Brewster was the fact that Ordinance B makes the matter of four Captains or five Captains an administrative judgment at budget time, and is not a question of the ordinance.

At Councilman Wilson's question, City Attorney Remelmeyer advised that the Council cannot pass the ordinance in final form; it is necessary that it be returned to the Civil Service Commission for their consideration. The tentative approval of Ordinance B should be directed to the Commission, and then returned to the Council for final approval, according to Mr. Remelmeyer.

Councilman Sciarrotta commented that he fails to see the difference between the organization of the Fire Department and that of the Police Department -- these employees are career individuals with everyone aspiring to climb -- further, many cities do have an Assistant Police Chief, and Mr. Sciarrotta is in favor of such a position.

In defense of his earlier suggestion, Councilman Johnson stated that the Patrol and Traffic combination has a very heavy workload; the need for field supervision is the greatest, and his suggestion would provide the opportunity to broaden the span of control and provide better supervision in the field. There will be a need for more "black-and-whites" in the field and this must be considered at budget time, Mr. Johnson continued, but now is the time to get organized for it; Torrance is sufficiently large and there is the need, and he can see no reason for waiting -- the Captain should be added now. Councilman Wilson commented that it would seem Mr. Johnson is setting himself up as an expert in the field, when there are recommendations from the Chief and the four Captains which do not express these sentiments.

At Mayor Miller's question as to the present operation in the department with four Captains, Police Chief Nash responded that since the preliminary budget process wherein the additional Captain for the Traffic Division was discussed, it was decided that there should be studies relative to putting the investigative unit from the Traffic Division over into Patrol, which would eliminate the need for this Captain.

Roll call vote on Councilman Uerkwitz' substitute motion was as follows:

AYES: COUNCILMEN: Brewster, Surber, Uerkwitz, Wilson,
and Mayor Miller.

NOES: COUNCILMEN: Johnson, Sciarrotta.

Councilman Johnson stated that he voted "no" for the reason that he feels now is the time to get organized for the future.

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37. Employee Relations Leave - T.M.E. - A.F.S.C.M.E.

LEAVE, with pay, requested for Pauline Greer, Finance Department, and J.D. Cahill, Garage Department for the period May 4 through 8, 1970 to attend the International Convention of the American Federation of State, County, and Municipal Employees, AFL-CIO, in Denver, Colorado as delegates of Torrance Municipal Employees, Local 1117.

MOTION: Councilman Johnson moved to grant the subject request, with salary, but no travel expense. The motion was seconded by Councilman Sciarrotta.

Prior to roll call vote on the motion, Councilman Uerkwitz referred to the April 28, 1969 Council minutes pertaining to this subject, and the reference to the City Attorney's "grave doubt as to the authority of the City Council to pay an employee of the City who is not on City business but who is on business of representing an employee organization"; Mr. Uerkwitz inquired if this had been clarified. Mr. Remelmeyer responded that he has never been able to satisfy himself on that; it appears that the present trend of the courts is to permit the Council to do this, but extensive research has failed to reveal anything definitive.

Roll call vote was unanimously favorable.

38. RESOLUTION - Amendment to salary resolution with classification study and new class specification for Senior Library Clerk.

Councilman Johnson commented that he failed to see the need in this particular case, and, in fact, could not make heads or tails out of the report. Personnel Director Donovan clarified that this is a new class specification, with two positions allocated thereto -- one of the reallocated positions was formerly a Senior Typist Clerk and no change in grade level is requested for this position; the other position being reallocated was formerly an Intermediate Library Clerk position and this position will advance five class grades as a result of this action.

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

RESOLUTION NO. 70-94

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING RESOLUTION NO. 69-183 TO ADD THE CLASS OF SENIOR LIBRARY CLERK TO THE CLASSIFICATION PLAN.

Councilman Wilson moved for the adoption of Resolution No. 70-94. His motion was seconded by Councilman Sciarrotta, and carried, with roll call vote as follows:

- AYES: COUNCILMEN: Brewster, Sciarrotta, Surber, Uerkwitz, Wilson, and Mayor Miller.
- NOES: COUNCILMEN: Johnson.

SEWERS AND DRAINAGE:39. PROPOSED COUNTY-WIDE 1970 STORM DRAIN BOND ISSUE:RECOMMENDATIONS OF CITY ENGINEER:

1. That the storm drain projects described on the subject list be approved as the City's "local projects" to be included in the proposed 1970 Storm Drain Bond Issue with priority in the order listed.
2. That the City recommend to the Flood Control District the inclusion of the "Sump Improvement Project" described in April 22nd communication as a proposed 1970 Storm Drain Bond Issue Supplemental Regional Project.

MOTION: Councilman Uerkwitz moved to concur with the above recommendations of the City Engineer. The motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

BUILDINGS, STRUCTURES AND SIGNS:

40. Extension of time for construction of apartments under old standards.

RECOMMENDATION OF BUILDING AND SAFETY DIRECTOR:

That an additional 90 days be granted from the date of this meeting to Mr. Don Wilson or his assignees in order that they may complete the project under the old apartment house standards.

MOTION: Councilman Sciarrotta moved to grant the requested 90 day time extension as above described. The motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

Building and Safety Director McKinnon stated that an assignee should be designated in the event the property is disposed of so that it will be known for whom the time has been extended. Mr. Wilson's attorney, Mr. Peter Lacombe responded stating that he represents the 5520 West One Hundred Ninetieth Street Corporation, who will take transfer of title -- this will involve bringing back a final tract map on this particular parcel which, hopefully, will be available by May 12th. Further noted by Mr. Lacombe was the fact that that tract map will have on it a portion of the parking area that is in the portion of Beryl Street to be vacated -- could this be brought back subject to an undertaking with the City, whatever desired by the City Attorney, that they will not construct in that area until new Beryl Street as improved is opened. City Engineer Weaver advised that it is a very thin sliver, but it cannot be vacated until the new street is constructed, and this can be taken care of as requested by Mr. Lacombe.

41. APPEAL OF CASE S70-16. Chuck Norris Karate for 240 square foot wall sign to be located at 22542 Hawthorne Boulevard.

Attorney for the proponent, Mr. Richard Knickerbocker, requested a two week extension. Councilman Sciarrotta MOVED to grant the request; his motion, seconded by Councilman Johnson, was unanimously approved by roll call vote.

42. Appeal of Condition No. 9 of City Council Resolution No. 69-138 regarding Albert Gianni's building. No recommendation by Building and Safety Director. City Council to interpret Condition No. 9.

Attorney for Mr. Al Gianni, Mr. John P. Foley, reiterated the position set forth in his communication of April 16th, as well as review of the response by Building and Safety Director McKinnon. Mr. Foley deemed the air-conditioning equipment unoffensive, invisible from 182nd Street, and noted the problems presented by the Spanish tile roof; relief from condition #9 was respectfully requested.

At the request of Mayor Miller, Building and Safety Director McKinnon advised that he had visited the property and the noise of the air conditioning equipment was not unduly loud, and, in fact, was quieter than normal equipment because of the low velocity fans that are used.

Mr. Vern Smith, 2816 West 182nd Street, stated that he is speaking at this time only because the actual people involved had no notice whatsoever of this hearing -- Mr. Smith recalled the bitter opposition at the time the subject conditional use permit was granted. It is his feeling that this Council would be in error to grant this relief without first allowing the neighbors to be heard.

Added by Building and Safety Director McKinnon, at Councilman Uerkwitz' question, were the circumstances surrounding this property, the several, varied uses proposed (some not requiring a conditional use permit which would not have been exacting as to the air conditioning equipment) -- the tile roof had already been constructed when application was made for the restaurant and liquor license. Mr. McKinnon commented that the screening would present quite a problem in attachment to a tile roof -- adding that he is only attesting as to the problem presented, not attempting to interpret the condition. A 12-ft. screen would be required, according to Mr. McKinnon, and might prove more offensive than the equipment -- as it presently exists it should be painted and probably have some features corrected. Pointed out further by Mr. McKinnon was Mr. Gianni's contention that this was not what the Council approved, and the condition was not considered in light of the fact that he already had his roof.

Discussion followed on the matter of screening requirements and the apparent misunderstanding in the subject case.

Mayor Miller recalled the emotional involvement of the neighborhood in this matter, and recommended that this matter be held over until the neighborhood has been properly advised.

Speaking at this time was Mr. Al Gianni, 2115 West 182nd Street, who commented on his many appearances before the Council in an attempt to develop this property -- regardless of what is put on this property the neighbors are going to know it; other businesses, not requiring a conditional use permit, could be put on this C-2 property, and he is sorely tempted to do so at this point because of

the many problems confronted. Mr. Gianni added that he has spent well over a half a million dollars trying to beautify Torrance, having given Torrance what it wanted -- a large meeting place -- and that he has tried to cooperate in every possible manner.

Discussion returned to the problems involved -- Planning Director Shartle advised that the gable, Mission tile roof, and the equipment mounted thereon is not visible from the front but it is highly visible from the rear -- screening in individual pieces might prove practical, or the equipment might be removed from the roof and placed inside the building between the ceiling and the roof but considerable expense would be involved. The only other possibility to help the situation, short of mounting it inside, according to Mr. Shartle, would be to paint the equipment which might make it less objectionable.

In the opinion of Councilman Uerkwitz separate screens around this equipment would be just as bad aesthetically as the equipment itself -- it could be that Mr. Gianni has a point in the fact that this is something that should have been caught earlier in the transition back and forth and the actual use of the building, and now represents an undue hardship.

Mr. Wally Pollock, 2225 Sepulveda Boulevard, the architect for this project, advised that the screens would be aesthetically unpleasing -- if the air conditioning equipment could be painted out the same color as the roof, it would not be quite so noticeable. Mr. Pollock also noted that there were other uses not requiring the conditional use permit which would not involve the air conditioning equipment.

Councilman Brewster commented that nevertheless Mr. Gianni is there under a conditional use permit, certain conditions were imposed -- this particular condition #9 is a standard condition, and the intent is clear. Mr. Brewster added that he did not see how this Council, in good faith, in view of the affected neighbors, approve this request without permitting them to be heard and participating in whatever is to be done in the way of a corrective device; what is there now is just plain ugly from the north and from the east, and there are no two ways about that! Further noted by Councilman Brewster were the walls caving in on the east and the north, and it is his recommendation that something be done about that.

Councilman Johnson stated that, in his opinion, this particular situation is merely a condition for obtaining the liquor license, etc. and would not otherwise be required -- he would be in agreement that the people should be invited under different circumstances -- he therefore MOVED that the "as built" or "as is" condition prevail, it being agreed that the equipment will be painted out to make it as aesthetically pleasing as possible -- deleting condition #9 of RES.69-138. The motion was seconded by Councilman Surber, and carried as follows:

AYES: COUNCILMEN: Johnson, Sciarrotta, Surber, and Uerkwitz.

NOES: COUNCILMEN: Brewster, Wilson; Mayor Miller.

REAL PROPERTY:

- 43. Ocean Avenue at Sepulveda Boulevard.

Heard earlier in the meeting.

- 44. Joint Powers Agreement - Torrance Civic Center - requesting Council to appoint three Commissioners to the Torrance Civic Center Authority.

Held until May 14th, at the time of selection of Commissioners.

- 45. BERYL STREET DEDICATION from Southern California Edison Company in conjunction with Tract No. 29156 (Developer: Don Wilson Builders)
RESOLUTION authorizing acceptance of certain road easement for Beryl Street (south of 190th Street) from Southern California Edison.

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

RESOLUTION NO. 70-95

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE ACCEPTING, ON BEHALF OF THE CITY, THAT CERTAIN ROAD EASEMENT FOR BERYL STREET FROM SOUTHERN CALIFORNIA EDISON CO.

Councilman Wilson moved for the adoption of Resolution No. 70-95. His motion was seconded by Councilman Johnson, and roll call vote was unanimously favorable.

FISCAL MATTERS:

- 46. Purchase of an Office Trailer.

RECOMMENDATION OF FINANCE DIRECTOR:

- 1. That Council appropriate \$4900 for the purchase of a 12' x 53' office trailer from the Garage Equipment Fund.
- 2. That Council approve of the award of contract for the purchase of one only USED trailer to the Scotsman Manufacturing Company in the amount of \$4900.00.

MOTION: Councilman Johnson moved to concur with the above recommendations of the Finance Director. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

- 47. ORDINANCE increasing dog license and pound service fees, effective July 1, 1970.

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

ORDINANCE NO. 2077

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING SECTION 41.2.10 OF ARTICLE 2, DIVISION 4 INCREASING THE POUNDMASTER'S FEE FOR IMPOUNDING A DOG TO FIVE DOLLARS FOR THE FIRST OFFENSE AND TEN DOLLARS FOR SUBSEQUENT OFFENSES AND AMENDING SECTION 41.3.2 OF ARTICLE 3 DIVISION 4 OF THE CITY CODE RAISING THE LICENSE FEE FOR KEEPING A DOG TO FOUR DOLLARS.

Councilman Brewster moved for the approval of Ordinance No. 2077 at its first reading. His motion was seconded by Councilman Sciarrotta, and carried, with roll call vote as follows:

AYES: COUNCILMEN: Brewster, Johnson, Sciarrotta, Wilson,
and Mayor Miller.

NOES: COUNCILMEN: Surber, Uerkwitz.

48. Acceptance of bid to replace 4 buses.

Heard later in the meeting.

PARK AND RECREATION:

49. ORDINANCE amending provisions of Section 75.1.4 and Section 74.3.2 of the Municipal Code relating to tree planting on public property and construction of street improvements, respectively. Submitted by City Attorney and Park Supt.

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

ORDINANCE NO. 2078

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING SECTION 75.1.4 OF THE TORRANCE MUNICIPAL CODE REQUIRING TREE PLANTING ON PUBLIC PROPERTY AND AMENDING THE TREE PLANTING PROVISIONS OF SECTION 74.3.2 RELATING TO CONSTRUCTION OF STREET IMPROVEMENTS.

Councilman Sciarrotta moved for the approval of Ordinance No. 2078 at its first reading. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

COMMUNITY AFFAIRS:

50. RESOLUTION requesting the Public Utilities Commission of the State of California to require railroads to beautify rights-of-way within urban areas.

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

RESOLUTION NO. 70-96

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE REQUESTING THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA TO REQUIRE RAILROADS TO BEAUTIFY RIGHTS-OF-WAY WITHIN URBAN AREAS.

Councilman Sciarrotta moved for the adoption of Resolution No. 70-96. His motion, seconded by Councilman Johnson, was unanimously approved by roll call vote.

51. TORRANCE TENNIS CLUB - Heard earlier in the meeting.

ITEMS NOT OTHERWISE CLASSIFIED:

52. County Sanitation Districts, requesting Council to appoint one of its members to serve as Alternate Director to the Districts.

MOTION: Councilman Wilson moved that Councilman Sciarrotta be appointed as the Alternate Director to the Sanitation District. His motion was seconded by Councilman Brewster, and roll call vote was unanimously favorable.

53. Special Permit to allow 12 foster children in one home.

Heard earlier in the meeting.

54. Request to award contract to Testing Engineers, Inc. for evaluation of oil tanks to ascertain structural compliance with the Fire Code.

RECOMMENDATION OF CITY ATTORNEY:

That Testing Engineers, Inc. be awarded the contract for performing the necessary investigation of the crude oil storage tanks to ascertain whether they comply with the Fire Code, and an additional sum of \$4,500 be so appropriated from the General Fund Unappropriated Reserve.

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

55. Commission Vacancies Report and Commission Attendance Reports.

It was agreed to interview applicants for the Planning, Airport, and Park and Recreation Commissions on Thursday, May 14th, starting at 4:00 P.M.

56. RESOLUTION of record destruction (all records microfilmed) authorizing the City Clerk to destroy certain City records.

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

RESOLUTION NO. 70-97

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 Wilson moved for the adoption of Resolution No. 70-97. His motion, seconded by Councilman Uerkwitz, was unanimously approved by roll call vote.

57. RESOLUTION requesting the State Legislature to defeat Assembly Bill 98 (Warren) for compulsory arbitration.

The subject legislation was discussed at some length. Lieutenant Oates, TPOA, expressed objections to the proposed resolution -- not so much the content of the bill, but the fact that the Council is going to make a decision on something that is strictly an employee-employer representation matter; they should be able to express their views.

Captain DeArmitt added that it is the hope of the Torrance Firefighters that the resolution will be delayed, or not passed, for the reason expressed by Lieutenant Oates -- it is further felt that were this resolution passed and sent to Sacramento it would be misinterpreted; it is believed that eventually there will be a good arbitration bill which the Council may want to support.

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

RESOLUTION NO. 70-98

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE REQUESTING THE STATE LEGISLATURE TO DEFEAT ASSEMBLY BILL 98 (WARREN) PROVIDING FOR COMPULSORY ARBITRATION.

MOTION: Councilman Sciarrotta MOVED that Resolution No. 70-98 BE TABLED. His motion was seconded by Councilman Wilson, and carried as follows:

- AYES: COUNCILMEN: Brewster, Sciarrotta, Surber, Wilson, and Mayor Miller.
- NOES: COUNCILMEN: Johnson, Uerkwitz.

SECOND READING ORDINANCES:

58. ORDINANCE NO. 2074.

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

ORDINANCE NO. 2074

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING SECTION 14.1.40 OF THE TORRANCE MUNICIPAL CODE RELATING TO THE EMPLOYMENT OF RELATIVES.

Councilman Uerkwitz moved for the adoption of Ordinance No. 2074 at its second and final reading. His motion, seconded by Councilman Johnson, carried as follows:

- AYES: COUNCILMEN: Brewster, Johnson, Sciarrotta, Surber, Uerkwitz, and Mayor Miller.
- NOES: COUNCILMEN: Wilson.

59. ORDINANCE NO. 2075.

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

ORDINANCE NO. 2075

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING SECTION 33.5.7 PARAGRAPH A) OF DIVISION 3, CHAPTER 3, ARTICLE 5 OF "THE CODE OF THE CITY OF TORRANCE".

Councilman Sciarrotta moved for the adoption of Ordinance No. 2075 at its second and final reading. His motion, seconded by Councilman Brewster, was unanimously approved by roll call vote.

The Council now returned to:

FISCAL MATTERS:

- 48. Acceptance of bid to replace four buses.

RECOMMENDATION OF TRANSIT OPERATIONS SUPERVISOR:

That Council accept the bid submitted by General Motors Company and award them the contract for four only transit type coaches in the amount of \$108,864.72, including tax.

City Manager Ferraro introduced Mr. Sherman Miller, newly appointed Transit Operations Supervisor. Mr. Miller thereupon outlined the critical need to purchase the subject four buses.

It was the comment of Councilman Uerkwitz that this does not necessarily represent the needed direction, in view of the attempt underway to reduce the number of lines served by the bus system; it could happen when the new lines are resolved that this type of bus is not what the City is looking for, but instead a smaller type of transportation. In the opinion of Mr. Uerkwitz it would be erroneous to spend money for this size equipment with the present deficit and the pending plans for intercity bus service. Mr. Miller

noted that the proposed buses are 33-passenger type buses, which is a small bus and could be very well used in local transportation; however, the element of labor is the point that causes the expense to the City -- in operating a van of this size the differential wouldn't be a sufficient saving to warrant buying the smaller equipment. Mr. Miller advised that the cost of a 9-passenger van is approximately \$5,000 and last only a few years.

MOTION: Councilman Sciarrotta moved to concur with the above recommendation of the Transit Operations Supervisor. His motion was seconded by Mayor Miller, and carried as follows:

AYES: COUNCILMEN: Brewster, Johnson, Sciarrotta, Surber,
Wilson, and Mayor Miller.
NOES: COUNCILMEN: Uerkwitz.

It was the comment of Councilman Johnson at the time of his "yes" vote that he is going along with this on the grounds that the buses are simply worn out and must be replaced.

ORAL COMMUNICATIONS:

60. City Manager Ferraro requested Council approval to furnish tokens of appreciation, not to exceed to \$300, to former Mayor Isen and Councilman Beasley. Councilman Johnson so MOVED; his motion was seconded by Mayor Miller, and there were no objections.

61. Opening of Anza Avenue on April 29th is expected, according to Traffic Engineer Horkay.

62. City Attorney Remelmeyer referred to the suit filed by TPOA against the City for overtime pay for lunch periods; the hearing is set for May 26th. There is a tremendous amount of work involved in this suit, according to Mr. Remelmeyer, and he requested Council permission to engage outside counsel of his choice to assist in this matter, for a total appropriation not to exceed \$25,000.

Councilman Johnson MOVED to grant the above request of the City Attorney, with an appropriation not to exceed \$25,000 from the General Fund. His motion was seconded by Councilman Sciarrotta, and roll call vote was unanimously favorable.

Mayor Miller requested that the City Attorney furnish reports on the progress of this matter and the funds expended.

63. City Treasurer Rupert reported that the dinner in honor of Councilman Beasley has been rescheduled for June 5, 1970.

64. Councilman Brewster inquired as to the need for asphalt sidewalks at Wood and Adams Schools -- City Traffic Engineer Horkay advised that a report will be made to Council. To expedite this matter, Councilman Brewster MOVED to approve in principle the City Traffic Engineer's concepts. His motion was seconded by Councilman Wilson, and there were no objections.

65. In reference to S.B. 38 Councilman Johnson MOVED that the City Manager be authorized to send a telegram similar to that sent by the Board of Supervisors to Senators Dills, Stephens, Wedsworth, and any other Senator who may be a member of the Committee who will hear this bill. There were no objections.

66. Councilman Surber noted Police Week from May 10th to May 16th and extended an invitation to all to attend "Cops and Pops" Night at the Hollywood Bowl on May 14th.

67. Staff was complimented by Councilman Uerkwitz regarding the input on the pollution material for "Teach-In Day".

68. Councilman Uerkwitz requested a report on the reasons for digging up Del Amo (immediately following the dedication thereof!).

69. Mayor Miller requested that there be a Proclamation for Armed Forces Day on the May 5th agenda.

70. A thank you to Planning Director Shartle was extended by Mayor Miller for the background material furnished by him for the Mayor's address at Torrance High School.

71. Mr. Ben Cooper, 22908 Anza Avenue, was present to again resume, as in previous appearances before the Council, his objections to the Sign Ordinance as it pertains to real estate ^{and political} signs and his inability to obtain satisfaction where violations are concerned.

Clarification was furnished by City Manager Ferraro, specifically noting that the City cannot arrest someone because a sign exists with their name on it in an unauthorized area; a misdemeanor must be observed and committed in the presence of a witness. Mr. Ferraro further advised that there has been a long time understanding with the two realty boards that in the event there is a complaint the boards would police themselves.

Building and Safety Director McKinnon affirmed that signs are illegal in the public way, whether they be real estate signs or political signs or whatever; there has been a concerted effort to remove real estate signs; in the not too distant future it is planned to confiscate illegal signs, and all should be aware that something is being done in this regard.

72. Mr. Craig Smizer, 3646 Michelle Drive, representing citizens in the Delthorne area, renewed their request for a park in this area -- the specific area deemed desirable is that land considered under ZC 69-4 in 1969 -- noting as well the Planning Commission recommendation that the subject 12.7 acres be set aside for park area and other City uses.

It is the hope of his group, Mr. Smizer continued, that the Council will approve the rezoning of this area into a P-U zone, for public use, and set it aside for park or like use.

The financial considerations of such an undertaking were pointed out by Councilman Uerkwitz. A joining of forces in a bond issue, as discussed earlier in the meeting, was suggested by Councilman Wilson.

Mayor Miller was in agreement that the joining of forces in a bond issue would prove effective -- a committee meeting with interested parties was recommended by Mayor Miller, and this was met with favor by Mr. Smizer.

Councilman Johnson recommended such a meeting; he also suggested that it might be a good idea to send the matter back to the Planning Commission with the possibility in mind of M-L zoning, with perhaps a park overlay over the five acres belonging to Mr. Poley (?) -- Mr. Johnson would be in further agreement with a moratorium until the Planning Commission had an opportunity to study same.

A needed establishment of park priorities was pointed out by Councilman Uerkwitz -- the Southeast Torrance people have a park request of long standing, with four others on a standby basis. Councilman Johnson clarified that his above suggestion would not involve the spending of money.

City Attorney Remelmeyer questioned the legality of the park overlay on the Poley property -- it would seem the condemnation approach would be appropriate.

Next to speak was Mrs. Andrew Peel, 20324 Roslin, who reminded the Council that this is the last remaining large parcel in the area; before it is cast in concrete they would like to see something done. This problem has been studied from every possible angle by the Planning Commission, the Parks and Recreation Commission, Administration, etc. Further noted by Mrs. Peel was the fact that the moratorium on this property will expire in June; she would like an indication that it will be extended so that this matter can be pursued.

MOTION: Councilman Johnson moved that the entire subject 12.7 acres be referred back to the Planning Commission with a view toward study for M-L zoning, as well as any other recommendations they may wish to make. The motion was seconded by Councilman Brewster, and there were no objections.

Councilman Johnson then assured the people, as a vote of confidence, since the moratorium is not yet up, that the moratorium most likely will be extended. City Attorney Remelmeyer noted that, considering the history of this property, it may be possible to put the moratorium on but it becomes a "gray zone" obviously after the first one; he will, however, prepare the ordinance and return it to the Council at the appropriate time.

Added by Councilman Johnson was his knowledge of the general agreement between the homeowners and the proponent relative to a park site -- in the meantime, should the proponent come in with an acceptable plan, Councilman Johnson would certainly be willing to hear such a presentation, provided there is a park involved.

It was the general consensus that there be another committee meeting on this matter.

73. Mr. Frank Savataso, Encino, stated he is building three homes in the 2400 block on West 235th Street, and has run into difficulties relative to compaction of the land. The problems were outlined by Mr. Savataso, as well as City Engineer Weaver -- it was deemed too technical a matter to be considered under oral communications.

City Engineer Weaver stated that it would be his recommendation that Mr. Savataso comply with the Code. So be it, was the consensus of the Council.

At 12:10 A.M. Councilman Sciarrotta moved to adjourn to Wednesday, April 29, 1970, at 4:00 P.M. for the purpose of an Executive Session. The motion was seconded by Councilman Johnson, and roll call vote was unanimously favorable.

* * * *

Vernon W. Coil

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

APPROVED:

Ken Miller

Mayor of the City of Torrance

I N D E XAdjourned Regular MeetingCity Council - April 29, 1970

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2. Roll Call	1
3. Executive Session	1
4. Adjournment	1

Adjourned at 6:42 P.M.

* * * *

Ava Cripe
Minute SecretaryCouncil Minutes
April 29, 1970

April 29, 1970

MINUTES OF AN ADJOURNED REGULAR
MEETING OF THE TORRANCE CITY COUNCIL.

1. CALL TO ORDER:

The Torrance City Council convened in an Adjourned Regular Meeting on Thursday, April 29, 1970 at 4:10 P.M. in the Council Chambers at Torrance City Hall.

2. ROLL CALL:

Present were Councilmen Brewster, Johnson, Sciarrotta, Surber, Uerkwitz, Wilson, and Mayor Miller. Absent: None.

3. EXECUTIVE SESSION:

Councilman Sciarrotta MOVED, at 4:11 P.M., to recess as City Council for the purpose of an Executive Session to discuss Wages and Salaries. The motion was seconded by Councilman Uerkwitz, and roll call vote was unanimously favorable.

(It was necessary for Councilman Sciarrotta to leave the Executive Session at 5:50 P.M.)

4. ADJOURNMENT:

The meeting was formally adjourned at 6:42 P.M.

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I N D E XCity Council - May 5, 1970

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Ava Cripe
Minute Secretary

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Adjourned at 9:05 P.M.

* * * . *

Ava Cripe
Minute Secretary

ii. Council Minutes
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May 5, 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, May 5, 1970, at 5:30 P.M. in the Council Chambers at Torrance City Hall.

2. ROLL CALL:

Responding to roll call by Deputy City Clerk Moss were: Councilmen Brewster, Johnson, Sciarrotta, Uerkwitz, Wilson, and Mayor Miller. Councilman Surber arrived at 8:00 P.M. due to mobilization of Los Angeles Police Department for possible problems at UCLA.

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

3. FLAG SALUTE:

Mr. Gerald Alter, at the request of Mayor Miller, led in the salute to the flag.

4. INVOCATION:

The Reverend H.R. Percy, St. Andrew's Episcopal Church, gave the invocation for the meeting.

STANDARD MOTIONS:

5. APPROVAL OF MINUTES:

Councilman Sciarrotta moved that the minutes of the regular meeting of April 21, 1970 be approved as recorded. His motion was seconded by Councilman Uerkwitz, and there were no objections.

6. APPROVAL OF DEMANDS:

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

AYES: COUNCILMEN: Brewster, Johnson, Sciarrotta,
Uerkwitz, Wilson, and Mayor Miller.
NOES: COUNCILMEN: None.
ABSENT: COUNCILMEN: Surber.

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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 Wilson, and roll call vote was unanimously favorable (Councilman Surber absent).

8. COUNCIL COMMITTEE MEETINGS - None.

9. Recognition of J.A. Beasley (held for later in the meeting).

PRESENTATIONS:

10. Award of permaplaque expressing appreciation to the members of the Del Amo Rotary Club for their donation of a Handball Wall for Entradero Park.

This donation by the Del Amo Rotary Club was gratefully acknowledged, on behalf of the Council, by Mayor Miller.

PROCLAMATIONS:

11. "Hire a Veteran Week" - May 10 through 16, 1970.
 12. "Armed Forces Day" - May 16, 1970.
 12A. "National Maritime Day" - May 22, 1970.

So proclaimed by Mayor Miller.

NONCONTROVERSIAL ITEMS:13. EXPENDITURES OVER \$300:RECOMMENDATION OF FINANCE DIRECTOR:

That Council approve the following purchases:

A. BUDGETED:

1. \$780.00 to South Bay Disposal for renewal of service contract for trash pickup at the City Hall complex as requested by the Custodial Department for the period May 1, 1970 through April 30, 1971.
2. \$600.00 to Dewey Pest Control for renewal of pest control service contract for the various City Recreation Buildings as requested by the Custodial Department for the period May 1, 1970 through April 30, 1971.
3. \$448.14 to Constructors Supply for 200 only 18-inch traffic cones and 6 dozen barricade batteries as requested by the Street Department as replacement items.

4. \$614.40 to 3M Business Products for electrostatic copy paper required to operate 3M machines located in Fire Department and Airport offices.
 5. \$945.00 to Hersey Sparling Meter Company for three 3-inch fire hydrant meters as requested by the Water Department to be used for temporary hydrant connections required.
 6. \$599.55 to M. Johnson Supply Company for 24 bronze water service saddle connectors as requested by the Water Department.
 7. \$516.60 to W.B. Equipment Company for 200 only 4-inch plastic water hydrant caps as requested by the Water Department for stock.
 8. \$845.25 to J. Jones Company for 300 only 3/4-inch water pipe couplings and 100 only 1-inch corporation stops as requested by the Water Department for stock.
 9. \$456.75 to H.C. Lawson Company for 600 water lock rings as requested by the Water Department for stock.
 10. \$324.14 to Felker Manufacturing Company for two each concrete cutting blades required by concrete cutting machine.
 11. \$3585.33 to Mail Well Envelope Company for 900,000 mailing and return envelopes as requested by the Customer Service Division for use in mailing out water and rubbish bills.
 12. \$309.58 to Monarch Gasket and Rubber Company for 36 rubber shoes used for street sweeping equipment as requested by the City Garage.
 13. \$340.04 to Ascot Business Forms for 700 Armed Forces Day Parade posters as requested by the City Manager's office for display purposes.
 14. \$375.90 to Cal-Partitions for furnishing and installing temporary partitions for the City Plan Checking Section within the Building Department.
- B. REIMBURSABLE:
15. \$436.80 to Hersey Sparling Meter Company for one only 2-inch Hersey water meter - all bronze case - complete with check valves on main and intermediate flow lines as requested by the Water Department. This meter is being used for the Teld Leasing Company service for which payment has already been received.

C. SPECIAL ITEMS:

16. \$440.90 to Needham Book Finders for 143 adult books.
17. \$9799.02 to Campbell & Hall, c/o Harry R. Wilson, for 509 juvenile and 1007 adult titles.

14. CLAIM OF Richard Doms for property damage.

RECOMMENDATION OF CITY CLERK:

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

15. CLAIM OF Herbert Franklin Daugherty for damages for malicious prosecution, false and wrongful arrest and false imprisonment.

RECOMMENDATION OF CITY CLERK:

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

MOTION: Councilman Sciarrotta moved to concur with the above recommendations on agenda items #13, #14, and #15. The motion was seconded by Councilman Johnson, with roll call vote as follows:

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

NOES: COUNCILMEN: None.

ABSENT: COUNCILMEN: Surber.

PLANNING AND ZONING MATTERS:

16. Request for modification of conditions of CUP 69-24, Peninsula Motors, Inc.

RECOMMENDATION OF CHAIRMAN, WAIVER COMMITTEE OF THE UNDERGROUND UTILITIES COMMITTEE (J.J.McKINNON).

That the waiver be granted subject to the proponent modifying his existing electrical service for the purpose of allowing a 4-plex single line overhead drop to be constructed from the existing poles on Newton Street to the proponent's building.

MOTION: Councilman Uerkwitz moved to concur with the above recommendation. His motion was seconded by Councilman Sciarrotta, and roll call vote was unanimously favorable (Councilman Surber absent).

17. Letter requesting review of terms of the Oil Well Beautification Ordinance.

City Manager Ferraro advised that it is desired by the Planning Commission that this matter be returned to them so that more specific details can be worked out for consideration of the Council.

Councilman Sciarrotta MOVED that agenda item #17 be referred to the Planning Commission.

Discussion followed. It was the request of Mayor Miller that there be guidelines indicating what is desired by the Commission and on the other side what has been done by the Council, so that a comparison may be made.

It was the comment of Councilman Johnson that the subject ordinance did not specify sizes and kinds of shrubs which represents some of the problems; it was further stated by Mr. Johnson that the Commission should be very cautious re: having oil well sites on a minimum of one acre, this being a very impractical approach, and he would recommend that it not be included in any ordinance that might be returned.

Recalled by Councilman Sciarrotta was an indication by Standard Oil at one time, at Hickory Park, that they would cut the fencing of the oil well almost to the well so that it would give more park space to the people living in that vicinity; he requested that Staff check the status of this matter.

It was pointed out by Building and Safety Director McKinnon that much progress has been made, safety being the #1 consideration, with no prosecution based on beautification alone -- there should be considerable improvement in the appearance of the wells in the not too distant future.

The motion was seconded by Councilman Brewster, and roll call vote was unanimously favorable (Councilman Surber absent).

- 18. Appeal of Waiver 70-18, Vladimir and Marilyn Popovich, to allow the addition of a family room at 159 Via la Circula.

Mr. Popovich was present to review his request, denied by the Planning Commission, reiterating his feeling that he has met all the necessary criteria. He outlined as well the peculiar problems and difficulties of development surrounding his property.

Planning Commissioner Alter, at the request of Mayor Miller, explained that he had favored the subject request for the reason that the addition was in the rear part of the lot, a number of similar waivers have been granted, and further due to the fact that a driveway was adjacent, and more than 10 ft. between the buildings.

Fire Chief Lucas advised that such construction would not have any effect on insurance rates. Also noted by Building and Safety Director McKinnon was the fact that this building at 3 ft. would comply to the Building Code; it is the Building Ordinance in violation.

Councilman Brewster stated that he had surveyed the subject property this date, and he, quite frankly, must concur with the proponent -- to develop that property any other way than is planned is going to ruin it; on the other hand, Mr. Brewster is in agreement with the Planning Commission that the current zoning requirement is a difficult thing to violate and leads to a dangerous precedent. At Councilman Brewster's question, Mr. Popovich advised that he is in no particular hurry -- it was then noted by Mr. Brewster that the Planning Commission has proposed changes to the open space requirements in the zoning ordinances, and that quite likely the proposed development

would meet the proposed changes, if this legislation could be expedited to the Council. This type of action would be preferred by Councilman Brewster.

Councilman Johnson stated that, in his opinion, the wait would not change this situation -- this is a perfectly logical development for this particular piece of property; noted as well was the room between the two buildings -- and there is no way of knowing the outcome of the open space ordinance as it relates to these particular conditions. Mr. Johnson concluded that it would only hold up Mr. Popovich; this seems to be a special case at this point.

MOTION: Councilman Uerkwitz moved to grant the requested relief on W 70-18. His motion was seconded by Councilman Johnson, and carried as follows:

AYES: COUNCILMEN: Johnson, Uerkwitz, Wilson, and
Mayor Miller.
NOES: COUNCILMEN: Brewster, Sciarrotta.
ABSENT: COUNCILMEN: Surber.

In reference to his "no" vote, Councilman Brewster stated that it is not a vote against the development inasmuch as he feels that Mr. Popovich's development is probably the correct one, but, rather, it is a "procedural no". The same reason was expressed by Councilman Sciarrotta as to his "no" vote.

Mayor Miller added that his observance of the property confirms that the development as proposed is the basis for getting maximum use of the property; were it not for the adjacent driveway, however, the Mayor would not have voted in favor of the request.

It was the consensus of the Council that the open space ordinance be expedited to them.

19. Appeal for a modification to Variance 69-7, William and Mary Irwin, for construction of a three-unit apartment. PLANNING COMMISSION RECOMMENDS DENIAL.

Mr. Irwin was in attendance to describe financing problems encountered on presentation of original plans and the fact that the structure was too expensive for the neighborhood; the modified plans (deemed a minor modification by Planning Director Shartle) were reviewed.

The condition pertaining to the concrete driveway (Staff condition #2 - "That the front yard setback area not be utilized for a concrete driveway, but must be fully landscaped.") was discussed -- Mr. Irwin reiterated his need for the concrete driveway.

MOTION: Councilman Johnson moved to grant the subject relief on V 69-7, subject to Staff conditions #1 and #3 (deleting condition #2). His motion was seconded by Councilman Uerkwitz, and carried as follows:

AYES: COUNCILMEN: Johnson, Sciarrotta, Uerkwitz, Wilson,
and Mayor Miller.
NOES: COUNCILMEN: None.
ABSTAIN: COUNCILMEN: Brewster (heard case at Planning Commission)
ABSENT: COUNCILMEN: Surber.

COMMENDATIONS:

9. RESOLUTION honoring J.A. Beasley for twenty years service to the City.

Mayor Miller, on behalf of the Council, extended the sincere congratulations of all for Councilman Beasley's service and dedication to the City of Torrance encompassing some twenty years. A gold watch, appropriately engraved, was presented by the Mayor to Mr. Beasley in recognition of his meaningful contributions to this community.

There was grateful acceptance of the gift by Councilman Beasley, who deemed it a privilege to have been affiliated with the City these many years.

At the request of Mayor Miller, Deputy City Clerk Moss assigned a number and read title to:

RESOLUTION NO. 70-92

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING FORMER COUNCILMAN J.A. "JAY" BEASLEY FOR HIS TWENTY YEARS OF DEDICATED SERVICE TO THE CITY OF TORRANCE.

Councilman Sciarrotta moved for the adoption of Resolution No. 70-92. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable (Councilman Surber absent).

It was agreed that the many complimentary remarks due Councilman Beasley be saved for his June 5th retirement testimonial dinner.

* * * *

At 6:15 P.M. Councilman Sciarrotta moved to recess as City Council, and reconvene as the Redevelopment Agency. The motion was seconded by Councilman Uerkwitz, and there were no objections. A 5-minute recess followed at 6:16 P.M.

* * * *

REAL PROPERTY:

20. RESOLUTION of the City Council of the City of Torrance authorizing the execution of that certain Airport Hangar Lease dated May 1, 1970 between the City and Tri-Cor, Inc., a Nevada Corporation.

At the request of Mayor Miller, Deputy City Clerk Moss assigned a number and read title to:

RESOLUTION NO. 70-104

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING THE EXECUTION OF THAT CERTAIN AIRPORT HANGAR LEASE DATED MAY 1, 1970 BETWEEN THE CITY OF TORRANCE AND TRI-COR, INC., A NEVADA CORPORATION.

7. Council Minutes
May 5, 1970

Councilman Sciarrotta moved for the adoption of Resolution No. 70-104. His motion, seconded by Councilman Johnson, was unanimously approved by roll call vote (Councilman Surber absent).

21. RESOLUTION of the City Council of the City of Torrance authorizing the execution of that certain Amendment to Airport Hangar Lease dated March 1, 1970 between the City and H.T. Halibrand and Emma E. Halibrand.

At the request of Mayor Miller, Deputy City Clerk Moss assigned a number and read title to:

RESOLUTION NO. 70-105

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING THE EXECUTION OF THAT CERTAIN AMENDMENT TO AIRPORT HANGAR LEASE DATED MARCH 1, 1970, BETWEEN THE CITY OF TORRANCE AND H.T. HALIBRAND AND EMMA E. HALIBRAND.

Councilman Johnson moved for the adoption of Resolution No. 70-105. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable (Councilman Surber absent).

TRAFFIC AND LIGHTING:

22. ORDINANCE repealing Section 61.9.3 of the Torrance Municipal Code and approving a new Section 61.9.3 therefor to amend DESIGNATED STREETS FOR TRUCK USE (Local Origination or Termination) within the City Limits.

Deputy City Clerk Moss advised that petitions and protests have been received from 49 people -- another petition just received bearing 70 signatures in protest.

City Traffic Engineer Horkay explained that certain Code sections provide that all select system streets which are built with gas tax money are automatically truck routes -- the only way that street may be removed as a truck route is to hold a public hearing as provided in governmental code section 6064. Also described by Mr. Horkay were the "local" truck routes and the "transit" truck routes -- a "local" truck route is proposed for Anza-Calle Mayor is a route limited to a trip that originates and ends within the City Limits. A map was then displayed by Mr. Horkay showing the various truck routes throughout the City. Mr. Horkay reiterated that a public hearing would be necessary to delete this truck route.

Mr. John Conway, 23326 Adolph Street, president Southwood Riviera Homeowners, submitted a petition representing approximately 80 homes primarily on Anza Avenue objecting to this truck route. One of the major concerns is that Anza would be relief from Hawthorne for through traffic going to the Riviera and other areas which will represent a lot more traffic than just to the local area.

With the opening of the new Anza, Mr. Conway continued, there will be substantially more traffic into the residential area -- now to further dump trucks into what was originally a quiet cul-de-sac type arrangement would prove disastrous. The noise from the trucks will be incompatible with the residential area, according to Mr. Conway; there will be hazards to the children, noting that there are service streets on Anza north of Sepulveda, such is not the case south of Sepulveda. It was requested that the Council not approve the subject Truck Route, and that the City initiate whatever is required to remove this automatic truck route designation.

In the opinion of Councilman Sciarrotta the logical way to solve this problem is to take into consideration all the truck routes by holding hearings and reviewing the situation as a whole. Mr. Sciarrotta thereupon MOVED to refer agenda item #22 to the Traffic Commission to study, hold hearings, and make recommendation to the Council. The motion was seconded by Councilman Johnson, and roll call vote was unanimously favorable (Councilman Surber absent).

Further action was taken:

MOTION: Councilman Johnson moved that Anza Avenue below Sepulveda NOT BE designated as a Truck Route until such time as the hearing has been held and the recommendations made. The motion was seconded by Councilman Uerkwitz, and carried as follows:

AYES: COUNCILMEN: Brewster, Johnson, Sciarrotta,
Uerkwitz, and Mayor Miller.
NOES: COUNCILMEN: Wilson. (Does not feel it legal).
ABSENT: COUNCILMEN: Surber.

Speaking at this time was Mrs. Carmen Rivera, 4003 West 235th Street, who called the Council's attention to the fact that the other designated truck routes are already in force -- that the proposed hearing and ordinance, although it includes all the other truck routes, is strictly to include Anza Avenue from Sepulveda to Pacific Coast Highway, and Calle Mayor to Pacific Coast Highway -- in her opinion a hearing for Prairie, etc. would be pointless, their having already been designated as truck routes.

* * * *

FISCAL MATTERS:

23. Request approval for Planning Commissioners attendance at Anaheim Institute.

RECOMMENDATION OF PLANNING DIRECTOR:

That permission be granted for three Planning Commissioners to attend the Planning Commissioners Institute in Anaheim June 3-5, 1970, with expenses paid therefor in an amount not to exceed \$135.

MOTION: Councilman Sciarrotta moved to concur with the above recommendation of the Planning Director, with appropriate expenses paid. The motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable (Councilman Surber absent).

PARK AND RECREATION:

24. WATER RESERVOIR TENNIS CENTER.

Letter from Director of Recreation forwarding the recommendation of the Park and Recreation Commission that the 7-court tennis complex project be added to the Capital Improvement Budget and given a high priority.

Mrs. Jackie Andrews, 117 Via Pasqual, was present on this matter and reported on conferences with Director of Recreation Van Bellehem wherein the likelihood of Federal funds for this project was explored. Mr. Van Bellehem advised that a complete report, including the aspect of Federal funds, is in preparation, and should be available approximately May 15th.

ITEMS NOT OTHERWISE CLASSIFIED:

25. Request of League of California Cities, Los Angeles County Division, to designate a Director and Alternate Director.

The Mayor serves as the Director, it was noted, and Councilman Wilson MOVED that Councilman Sciarrotta serve as the Alternate. The motion was seconded by Councilman Brewster, and there were no objections.

SECOND READING ORDINANCES:

26. ORDINANCE NO. 2077.

At the request of Mayor Miller, Deputy City Clerk Moss presented for its second reading:

ORDINANCE NO. 2077

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING SECTION 41.2.10 OF ARTICLE 2, DIVISION 4 INCREASING THE POUND-MASTER'S FEE FOR IMPOUNDING A DOG TO FIVE

DOLLARS FOR THE FIRST OFFENSE AND TEN DOLLARS FOR SUBSEQUENT OFFENSES AND AMENDING SECTION 41.3.2 OF ARTICLE 3 DIVISION 4 OF THE CITY CODE RAISING THE LICENSE FEE FOR KEEPING A DOG TO FOUR DOLLARS.

Councilman Wilson moved for the adoption of Ordinance No. 2077 at its second and final reading. His motion was seconded by Councilman Johnson, and carried as follows:

- AYES: COUNCILMEN: Brewster, Johnson, Sciarrotta, Wilson, and Mayor Miller.
- NOES: COUNCILMEN: Uerkwitz.
- ABSENT: COUNCILMEN: Surber.

27. ORDINANCE NO. 2078.

At the request of Mayor Miller, Deputy City Clerk Moss presented for its second reading:

ORDINANCE NO. 2078

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING SECTION 75.1.4 OF THE TORRANCE MUNICIPAL CODE REQUIRING TREE PLANTING ON PUBLIC PROPERTY AND AMENDING THE TREE PLANTING PROVISIONS OF SECTION 74.3.2 RELATING TO CONSTRUCTION OF STREET IMPROVEMENTS.

Councilman Uerkwitz moved for the adoption of Ordinance No. 2078 at its second and final reading. His motion was seconded by Councilman Sciarrotta, and roll call vote was unanimously favorable (Absent: Councilman Sciarrotta).

ADDENDUM ITEM:

28. TORRANCE SAFETY COUNCIL - ANNUAL BICYCLE RODEO.
Request for funds.

Torrance Safety Council Chairman, Mrs. Eva Bisou, was present to describe the unique contributions of the Safety Council to the City in terms of public relations with schools, clubs, etc. The current Bicycle Rodeo involved 31 schools, and many hours of work; approval of the request was urged by Mrs. Bisou.

Councilman Johnson commented that, in his opinion, the Bicycle Rodeo is one of the most important programs of the year, and one of the most valuable in public relations.

MOTION: Councilman Johnson moved that the amount of \$500.00 to cover the Bicycle Rodeo, an additional appropriation of \$700.00 to cover the present deficit, be approved -- a total amount of \$1200.00, to be appropriated from the General Fund. The motion was seconded by Councilman Wilson.

Mr. Richard DeArmitt spoke at this time, outlining the active participation of the Fire Department in the Bicycle Rodeo, its value to the community, and the value of the Award Luncheon as well.

It was the consensus that these matters should be studied at budget time to avoid future shortages of funds as has happened here.

Roll call vote on Councilman Johnson's motion was unanimously favorable (Councilman Surber absent).

ORAL COMMUNICATIONS:

29. Fire Chief Lucas reported the arrival of the foam trailer, to be used in the Southeast Torrance oil fields; it will be in operation in approximately two weeks.

30. Sr. Administrative Assistant Jackson requested an Executive Session at the end of this meeting for the purpose of wage and salary negotiation matters.

31. Councilman Brewster requested that the Santa Cruz Court moratorium be expedited.

32. The status of the Charter Review Committee and the findings thereof was questioned by Councilman Brewster. Mayor Miller advised that the Committee has continued to meet and are available for recommendations, if so desired by this Council. It was the consensus of the Council that the Charter Review Chairman, Mr. Larry Bowman, be contacted by the City Manager for the purpose of arranging such a presentation.

33. Councilman Brewster referred to the Conditional Use Permit procedure and the fact that a use on a piece of property under the Conditional Use Permit if it vacates that use, the CUP is still good for a twelve month period if another owner decides to come in and pick up an identical use -- in the opinion of Councilman Brewster that period of vacancy is too long; there should be a shorter period of time. It was his request that the Planning Commission review this and return their thoughts on this issue to the Council.

34. A possible taxpayers' suit in the matter of police costs being pursued by the Independent Cities in an effort to insure good and proper action by the Board of Supervisors was described by Councilman Johnson.

35. Councilman Johnson requested that Traffic Engineer Horkay investigate an alley just east of Hawthorne and south of Redondo Beach Boulevard that appears to need "plugging".

36. Councilman Sciarrotta reported on a telephone call received by him from Mrs. Noall on Wilton Place relative to weeds and the unattractive appearance of City property adjacent to their residence and Mr. Al Gianni's property.

Mrs. Noall, 18309 Wilton Place, was present and advised that a Street Department employee had followed through on this matter, and the property is now cleaned up.

37. Councilman Sciarrotta MOVED that Councilman Johnson act as Mayor Pro-Tem from May 15, 1970 to November 15, 1970. The motion was seconded by Councilman Uerkwitz, and roll call vote was unanimously favorable (Councilman Johnson abstaining; Councilman Surber absent.)

38. The continuing need to find means to effectuate greater availability of City funds for the construction of all types of vitally needed capital improvements was outlined by Councilman Sciarrotta -- noted was the increased popularity of community support emanating from various user groups in the City to take leadership of a general obligation bond issue that would allow Torrance to build the vitally needed capital improvements necessary to serve the growing and maturing population.

To test the community's desire to undertake a bond proposal, Councilman Sciarrotta continued, it was his suggestion that the Council hold a special public hearing within 30 to 45 days, inviting all who wish to communicate their individual or organizational support, or criticism, on such a bond proposal. Should this meeting result in the same type of major support received for library bonds then it will have served its purpose. Conversely should major opposition be found then the meeting will also have served another vital purpose.

Councilman Sciarrotta requested that the City Manager's office, the Recreation and Finance Departments prepare materials and a Staff presentation for this special meeting. Further, Director of Recreation Van Bellehem was directed to take the necessary steps to notify and invite all parties who are interested in supporting or criticizing a proposed recreation bond issue to attend this special public hearing. Councilman Sciarrotta thereupon so MOVED; the motion was seconded by Councilman Johnson..

There was discussion prior to roll call vote on the motion. Councilman Brewster inquired if 30 to 45 days would give Staff sufficient time to prepare the necessary data; City Manager Ferraro advised that this would be sufficient time. It was the request of Councilman Brewster that the Torrance Unified School District be contacted relative to a possible kind of Joint Powers Agreement for joint development of recreational facilities. The matters to be considered at such a hearing were reviewed, as well as possible steps to take following the meeting; it being agreed that the sentiment of the people must first be determined.

Mrs. James Pierson, 5620 Bartlett Drive, representing the League of Women Voters, stated that they have always supported the concept of a long range plan for park development, and they would certainly support the Council in whatever way they can in this regard -- further, all means of financing should be thoroughly investigated -- the League would like to be notified of the proposed hearing.

Roll call vote on Councilman Sciarrotta's motion was unanimously favorable (Councilman Surber absent).

requested

38A. Councilman Uerkwitz/that a pending meeting with the School District re: the Little League situation be reestablished -- he and Councilman Sciarrotta to meet with a couple of School Board members on this matter.

39. A review of the License Review Board's recent ruling on the Toy Box Bar was requested by Councilman Uerkwitz. Mr. Uerkwitz confirmed that the Council has the prerogative of reviewing that decision; this, then, in effect is an appeal by him.

40. Concern regarding the property tax increase was expressed by Councilman Wilson - the reason being due primarily to welfare costs and now there has been a ruling that the residency requirement is no longer needed for welfare requirements. It is his feeling that action should be taken by the Council, by way of resolution, to perhaps influence legislation which would take this burden off the homeowner to make it a greater State or Federal responsibility.

MOTION: Councilman Wilson moved that an appropriate resolution be prepared. His motion was seconded by Councilman Sciarrotta, and there were no objections.

41. A hazardous intersection at 229th and Pennsylvania was called to the attention of Traffic Engineer Horkay by Mayor Miller. Mr. Horkay will take the necessary measures.

42. A communication regarding the organization NOISE which serves communities with airports was furnished the City Manager by Mayor Miller with a request for additional information.

43. It was ascertained by Mayor Miller that all Councilmen, with the exception of Councilman Sciarrotta, will be able to attend "Torrance Day" at Sacramento on May 20th.

44. Mayor Miller advised that the International Surf Festival is scheduled in the near future, and requested that City Manager Ferraro ascertain the merits of involving Torrance in this annual regatta.

45. Mrs. James Noall, 18039 Wilson Place, referred to Council action on April 28th granting relief from condition #9, CUP 69-16, Mr. A. Gianni, and presented a petition from the property owners in the area requesting that such relief not be granted.

Councilman Sciarrotta described his personal inspection of this situation and his understanding that Mr. Gianni will paint the equipment red or a light aluminum shield may be provided that could be anchored and prove aesthetically acceptable.

The main point, in the opinion of Mayor Miller, is the right of the people to have been heard at the April 28th meeting -- any rescinding of the action, however, must be offered by one who voted favorably in this matter.

Mrs. Noall reiterated the concern of the neighborhood that the conditions imposed by the conditional use permit should be maintained, and, in any event, there should have been a hearing.

(Councilman Surber arrived at the meeting at this time - 8:00 P.M.)

It was the comment of Councilman Uerkwitz that this case has been argued very thoroughly; there is no point in reviewing the same arguments again, it being obvious that nothing will be satisfactory other than moving Mr. Gianni out, or changing the building around to something else.

Mr. Darryl Nelson, 18029 Wilton Place, stated that he was not particularly delighted with the building when it was constructed, but he was aware of the zoning and accepted the fact -- but when the Council has a requirement, and then this requirement is not met, that is his concern -- can it be assumed that the next requirement he does not feel like meeting will be taken to the City Council as well? Mr. Nelson does not care for this.

Councilman Johnson noted earlier situations at this meeting where relief by Council was granted, with no design to do anything out of the way but more to handle problems that unexpectedly arise. Mr. Johnson is in agreement with Councilman Uerkwitz that the subject situation was aired -- he would certainly recommend that Mr. Gianni generate a favorable public relations situation in his neighborhood by way of shields or whatever.

Councilman Sciarrotta stated that, for his part, should the air conditioning equipment prove to be a nuisance to the people, it will be necessary for Mr. Gianni to muffle it in some manner.

Mayor Miller invited a motion to reconsider from a Council member who had previously voted in favor of the request; none was forthcoming.

Mr. Vern Smith, 2816 West 182nd Street, spoke at this time, stating that this situation shows up a weakness in the Conditional Use Permit methods -- Mr. Smith then directed his remarks to Councilman Sciarrotta, asking him to request that this be held over for a hearing so that the people in this neighborhood have a chance to come down to be heard. Councilman Sciarrotta responded that it would be well to wait until everything is completed. Mr. Smith continued, with the comment that as of now this relief has been granted; a public hearing might bring forth a fact that would change at least one vote out of the four. Mr. Sciarrotta reiterated his pledge that should this unit prove to be a nuisance, he will be the first individual to their defense.

46. Mr. Bert Freeman, 5618 West Carson, referred to property at 1328 Cabrillo purchased by him and the apparent need for a Conditional Use Permit which will delay his proposed motor home business some two months. Assistant City Manager Scharfman reported that there has not been compliance with various requirements of the City. It was agreed that Mr. Freeman would get with Mr. Scharfman for clarification of what is needed.

47. Mr. John Maresch, 3634 West 228th Street, was present regarding the drainage at the corner of Samuel and 228th Street -- the drainage ditch has been blocked and should be investigated.

City Engineer Weaver will check into this matter.

At 8:20 P.M. Councilman Sciarrotta moved to recess into an Executive Session. The motion was seconded by Councilman Johnson, and approval was unanimous. Mayor Miller announced that no further business would be conducted, only that of adjournment.

The Council returned at 9:05 p.M. to formally adjourn, on a motion by Councilman Uerkwitz, seconded by Councilman Brewster, and unanimously approved.

* * *

Vernon W. Coil

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

APPROVED:

Ken Miller

Mayor of the City of Torrance