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Adjourned at 11:20 P.M. to Tuesday, March 30, 1971,
5:30 P.M.

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March 16, 1971

MINUTES OF A REGULAR MEETING
OF THE TORRANCE CITY COUNCIL

OPENING CEREMONIES:

1. CALL TO ORDER:

The Torrance City Council convened in a regular meeting on Tuesday, March 16, 1971, at 5:30 P.M. in the Council Chambers at Torrance City Hall.

2. ROLL CALL:

Responding to roll call by City Clerk Coil were: Councilmen 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:

Campfire Girl, Debbie Fenagis (?), led in the salute to the flag, following the introduction of the 5th Grade Campfire Girls from Hickory School by Mayor Miller. Cadet Troop #812 from Calle Mayor School was also present.

4. INVOCATION:

The Reverend Charles Neigh, Walteria United Methodist Church, provided the invocation for the meeting.

STANDARD MOTIONS:

5. APPROVAL OF MINUTES:

It was noted that the March 2nd minutes should be corrected as follows: Page 21, Item 47 - Oral Communication re: Tile Plaque for Reid Bundy. Councilman Uerkwitz so moved (instead of Councilman Wilson).

Councilman Sciarrotta moved for approval of the minutes of March 2, 1971, as above corrected. His motion was seconded by Councilman Uerkwitz and roll call vote was unanimously favorable.

* * * * *

The passing of former Councilman Victor Benstead on March 15th was regretfully announced by Mayor Miller -- one minute of silence in memory of Mr. Benstead followed.

* * * * *

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6. APPROVAL OF DEMANDS:

Councilman Johnson moved that all properly audited demands be paid. His motion, seconded by Councilman Wilson, was unanimously approved by roll call vote.

7. MOTION TO WAIVE FURTHER READING:

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

8. COUNCIL COMMITTEE MEETINGS:

Public Works Committee:
March 30th at 4:30 P.M.

Town Hall Meeting:
Change of date - it is now scheduled for April 14th at 7:00 P.M. in the Torrance Recreation Center.

Environmental Committee:
March 18th, 4:00 P.M.

Transportation Committee:
March 24th at 4:30 P.M. re: localizers.

COMMENDATIONS:

9. RESOLUTION NO. 71-57 commending Larry E. Townsend, Assemblyman, 67th District, State of California.

RESOLUTION NO. 71-57

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE COMMENDING LARRY E. TOWNSEND, ASSEMBLYMAN 67TH DISTRICT, STATE OF CALIFORNIA.

Councilman Wilson moved for the adoption of Resolution No. 71-57. His motion was seconded by Councilman Sciarrotta, and roll call vote was unanimously favorable.

10. RESOLUTION thanking Eva I. Bisou.

RESOLUTION NO. 71-58

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE THANKING EVA I. BISOU FOR HER MANY YEARS OF DEVOTED SERVICE TO THIS COMMUNITY AND COMMENDING HER FOR HER FAITHFUL AND DILIGENT SERVICE TO THE

CITY OF TORRANCE AS A MEMBER AND CHAIRMAN
OF THE TORRANCE SAFETY COUNCIL.

Councilman Surber moved for the adoption of Resolution No. 71-58. His motion was seconded by Councilman Johnson, and roll call vote was unanimously favorable.

PROCLAMATIONS:

11. "Ort Day" - March 17, 1971.
12. "DeMolay Week" - March 14-21.
- 12A. "March is SAVE YOUR VISION MONTH."

So proclaimed by Mayor Miller.

HEARINGS - PLANNING AND ZONING:

13. APPEAL -- PP 70-25

Appeal of conditions of approval of a Precise Plan of Development to allow the construction of a discount department store in the C-3 zone, Del Amo Holding Corporation (Two Guys). APPROVED BY THE PLANNING COMMISSION.

This appeal withdrawn by the applicants; no action required.

14. APPEAL - CUP 71-1, TACO BELL.

Appeal of Planning Commission action on CUP 71-1 by Councilman Uerkwitz on behalf of Roy C. and E. Carolyn Nestruck to allow the operation of a take-out restaurant in the C-2 zone on property located at the northwest corner of Pacific Coast Highway and Anza Avenue. APPROVED BY THE PLANNING COMMISSION.

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

In view of the advertised hour for this public hearing, this item was held for later in the meeting.

PLANNING AND ZONING MATTERS:

15. Amendments to the Standard Criteria for Home Occupation Applications.

RECOMMENDATION OF PLANNING DIRECTOR:

If Council concurs, the matter should be referred to the City Attorney for preparation of the necessary ordinance.

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

REAL PROPERTY:

16. Proposed Amendment of Council Policy regarding Airport Lease Negotiations.

It was the request of City Manager Ferraro that this item be withdrawn for two weeks; there were no objections.

17. RESOLUTION re: certain real property in connection with the Meadow Park Urban Redevelopment Project.

RESOLUTION NO. 71-59

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 IN CONNECTION WITH THE MEADOW PARK URBAN REDEVELOPMENT PROJECT; AND DIRECTING THE CITY ATTORNEY TO BRING AND PROSECUTE AN ACTION IN THE SUPERIOR COURT FOR THE CONDEMNATION THEREOF.

(Portion of 235th Street and the Alley between 235th Street and Skypark Drive, east of Ward Street.)

Councilman Wilson moved for the adoption of Resolution No. 71-59. His motion was seconded by Councilman Uerkwitz, and roll call vote was unanimously favorable.

PARK AND RECREATION:

18. RESOLUTION re: an amendment to the original agreement with the State of California Resources Agency on Project #819-224, Torrance Regional Park, to extend an additional year from June 30, 1971 to June 30, 1972.

RESOLUTION NO. 71-60

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST AN AMENDMENT TO THE ORIGINAL AGREEMENT WITH THE STATE OF CALIFORNIA RESOURCES AGENCY ON PROJECT #819-224, TORRANCE REGIONAL PARK, WHEREBY THE ORIGINAL AGREEMENT IS EXTENDED AN ADDITIONAL YEAR FROM JUNE 30, 1971 TO JUNE 30, 1972.

Councilman Brewster moved for the adoption of Resolution No. 71-60. His motion was seconded by Councilman Sciarrotta, and carried, with roll call vote as follows:

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

NOES: COUNCILMEN: Johnson (for reasons previously stated),
Surber, Uerkwitz.

LIBRARY OPERATIONS:

19. Meeting Room Policy and RESOLUTION for Civic Center Library presented for approval by Library Commission.

City Attorney Remelmeyer requested that the following amendments be made to the subject policy: Last sentence, Section 4: add "with the approval of the City Manager."
Section 5: "The City Librarian, with the approval of the City Manager...."

RESOLUTION NO. 71-61

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE APPROVING THE POLICY ON THE USE OF MEETING AND DISCUSSION ROOMS AND DISPLAY FACILITIES FOR THE TORRANCE PUBLIC LIBRARY.

Councilman Sciarrotta moved for the adoption of Resolution No. 71-61. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

20. Library Commission's request for consideration of using meeting room in Civic Center Library for regular meetings.

REQUEST OF LIBRARY COMMISSION:

That the Council grant permission to hold the April 12th meeting in the new library, and consideration of holding the regularly scheduled monthly meetings of the Library Commission in the meeting room of the Central Library.

MOTION: Councilman Uerkwitz moved to concur with the above request, specifically noting that permission be given for the April 12th meeting, and that there be consideration regarding future meetings, it being acknowledged that holding meetings in the Library during the construction period likely would prove helpful. The motion was seconded by Councilman Johnson, with the comment that it is his opinion that public meetings ought to be held in City Hall as a matter of course. Roll call vote was unanimously favorable.

ITEMS NOT OTHERWISE CLASSIFIED:

21. AIRPORT DAYS 1971.

RECOMMENDATION OF AIRPORT MANAGER:

1. That Airport Days be sponsored jointly by the City of Torrance, through its Airport Department, and the Chamber of Commerce.
2. That the Chamber and the Airport Department share equally in the expenses and share equally in the surplus, if any.

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CITY MANAGER COMMENTS:

If the City Council concurs with the principles set forth by the Airport Manager above, it is suggested that the matter be referred to the City Manager and the City Attorney to work out the details of an operating agreement with the Chamber of Commerce, which would be returned to the City Council for approval.

MOTION: Councilman Uerkwitz moved to concur with the recommendations of both the Airport Manager and the City Manager. His motion was seconded by Councilman Sciarrotta, and roll call vote was unanimously favorable.

22. Letter from Thomas L. Goodman, Torrance Unified School District, expressing unanimous feeling among the principals that City Council Environmental Committee might utilize City Youth Council to resolve environmental problems.

Councilman Sciarrotta recommended that there be concurrence with the above recommendation and that the Youth Council be so notified. There were no objections, and it was so ordered.

23. ORDINANCE NO. 2202 providing for the payment of License Taxes on Oil Wells.
ORDINANCE NO. 2201 imposing a tax on producing or severing oil or gas from the earth; and establishing provisions for the administration of said tax.
RESOLUTION declaring Council's intention to use Oil Well License Fees and the monies in the Severance Tax Fund for particular purposes.

Heard later in the meeting, due to advertised time.

24. ORDINANCE "A" to provide that oil wells in the 01, 02, and 03 Combining Oil Districts shall be drilled, redrilled or deepened only upon issuance of drilling permit.
ORDINANCE "B" regarding same as above.
ORDINANCE "C" to create Oil Board, establish its composition, powers and duties and manner of appointment, removal and compensation of its members.

Heard later in the meeting, due to advertised time.

* * * *

At 6:10 P.M. Councilman Sciarrotta moved to recess as City Council and reconvene as the Redevelopment Agency. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable. A 5-minute recess followed at 6:15 P.M.

During the course of the Redevelopment Agency meeting, it was determined that Tuesday, March 23rd, would be a dark night, in that it was necessary for several Councilmen to be out of town that date. It was so ordered, with Councilman Surber dissenting.

* * * *

(Considered together:)

25. ORDINANCE "A" providing for abatement and removal as public nuisances of abandoned, wrecked, dismantled or inoperative vehicles or parts thereof from public or private property. ORDINANCE "NEW C" declaring as a public nuisance and making it a misdemeanor to maintain on private or public property abandoned, wrecked, dismantled or inoperative vehicles or parts thereof.
38. COMMUNICATION FROM COUNCILMAN JOHNSON - ORDINANCE 2206
RE: Dismantled and Inoperative Vehicles. .

Councilman Johnson expressed appreciation for the courtesy of the Council which gave him an opportunity to present his point of view, per agenda item #38.

Mayor Miller requested that Ordinance No. 2206 (Ordinance "A") first be presented in order to obtain the view of the Council.

ORDINANCE NO. 2206

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE ADDING ARTICLE 5 TO CHAPTER 3 OF DIVISION 4 OF THE TORRANCE MUNICIPAL CODE PROVIDING FOR THE ABATEMENT AND REMOVAL AS PUBLIC NUISANCES OF ABANDONED, WRECKED, DISMANTLED OR INOPERATIVE VEHICLES OR PARTS THEREOF FROM PUBLIC OR PRIVATE PROPERTY NOT INCLUDING HIGHWAYS AND RECOVERY OF COSTS OF ADMINISTRATION THEREOF AS AUTHORIZED BY SECTION 22660 VEHICLE CODE.

Councilman Sciarrotta moved for the adoption of Ordinance No. 2206 at its second and final reading. His motion was seconded by Councilman Brewster, and carried, with roll call vote as follows:

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

PERSONNEL MATTERS:

26. Recommendation of Civil Service Commission regarding Residence Requirement.

MOTION: Councilman Wilson moved that the subject item be referred to the Ad Hoc Committee on the City Charter. The 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.

27. Request for authorization for attendance of three Civil Service Commissioners and Executive Officer at Conference in Employee Relations at U.C.L.A.

Councilman Johnson moved to concur with the above request of the Civil Service Commission. His motion was seconded by Councilman Sciarrotta, and roll call vote was unanimously favorable.

SECOND READING ORDINANCES:28. ORDINANCE NO. 2207.ORDINANCE NO. 2207

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING DIVISION 9 OF THE TORRANCE MUNICIPAL CODE TO RECLASSIFY THAT CERTAIN PROPERTY WHICH IS BORDERED BY ANZA AVENUE, HAWTHORNE BOULEVARD, TORRANCE BOULEVARD, AND DEL AMO BOULEVARD, AND DESCRIBED IN ZONE CHANGE 70-33.
(Torrance Planning Commission)

Councilman Wilson moved for the adoption of Ordinance No. 2207 at its second and final reading. His motion was seconded by Councilman Sciarrotta, and roll call vote was unanimously favorable.

29. ORDINANCE NO. 2208.ORDINANCE NO. 2208

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING RULE XV OF THE CIVIL SERVICE RULES AND REGULATIONS WHICH DEALS WITH LAYOFFS AND REEMPLOYMENT LISTS.

Councilman Surber moved for the adoption of Ordinance No. 2208 at its second and final reading. His motion was seconded by Councilman Johnson, and roll call vote was unanimously favorable.

30. ORDINANCE NO. 2209.ORDINANCE NO. 2209

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE REPEALING SUBSECTION (1) OF SECTION 2, ARTICLE 8, CHAPTER 4, DIVISION 1 OF THE TORRANCE MUNICIPAL CODE AND SUBSTITUTING A NEW SUBSECTION (1) IN ITS PLACE.

Councilman Uerkwitz moved for the adoption of Ordinance No. 2209 at its second and final reading. His motion, seconded by Councilman Wilson, was unanimously approved by roll call vote.

NONCONTROVERSIAL ITEMS:31. EXPENDITURES OVER \$300:RECOMMENDATION OF FINANCE DIRECTOR:

That Council approve the following purchases:

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A. BUDGETED:

1. \$576.14 to Torrance Cycle and Sport Shop for six .45 Colt automatic pistols as requested by the Police Department for use by their Reserve Officers.
2. \$348.77 to Joslin Lumber Company for various sizes of rough Douglas Fir lumber as requested by the Street Department for use in building dump bins at the City Yard.
3. \$1372.35 to Remington Rand for two Remington Rand Kardex cabinets as requested by the Personnel Department for use in their record-keeping system.
4. \$800.10 to Bro-Dart, Inc. for miscellaneous bookbinding and cataloging requirements for library books put into City Libraries as requested by the City Librarian.
5. \$526.58 to Long Beach Uniform for seven complete sets of fire fighting turnout clothing as requested by the Fire Department as replacements.
6. \$508.60 to J & L Tank Company for labor and materials to modify 300 gallon gasoline tank trailer to comply with MC Code #306 as requested by the Fire Department.
7. \$350.00 to South Bay Reloading for 10,000 rounds of reloaded 45-caliber automatic ammunition as requested by the Police Department.
8. \$352.80 to Graybar Electric for 1 only circuit panel and breaker required by Traffic and Lighting Department.
9. \$444.15 to Neptune Meter Company for miscellaneous neptune meter replacement repair parts.
10. \$463.28 to Hersey Sparling Meter Company for miscellaneous Hersey Sparling meter replacement repair parts.

B. REIMBURSABLE ITEM:

11. \$436.80 to Hersey Sparling Meter Company for one only 2" Hersey meter with check valves on main and intermediate flow lines complete with bronze case as requested by the Water Department. This meter was for the A-1 Coast Rentals Service and payment has already been received.

C. SPECIAL CATEGORY - LIBRARY BOOKS:

12. \$704.62 to Campbell and Hall for 37 adult non-fiction and 90 juvenile assorted title books as requested by the City Librarian.

32. PAYMENT FOR COURT REPORTING -
JAMES E. PARKER HEARING.

RECOMMENDATION OF CIVIL SERVICE COMMISSION:

That Council approve an appropriation from the General Fund, Unappropriated Surplus, in the amount of \$201.00 for the subject payment.

33. CLAIM of Marjorie Ellingson for property damages.
34. CLAIM of Edward K. Erslev for personal damages.

RECOMMENDATION OF CITY CLERK:

That agenda items #33 and #34 be denied and referred to the City Attorney.

35. AWARD OF CONTRACT - Improvement of Sepulveda Boulevard from Ladeene Ave. to Hawthorne Blvd. (B71-9) Job #70016

RECOMMENDATION OF CITY ENGINEER:

1. That the contract be awarded to McAMIS ENGINEERING, and all other bids be rejected; and
2. That \$20,000 in Gax Tax Funds be appropriated for additional expenses.

36. RENEWAL OF LITTLE LEAGUE LEASES:

RECOMMENDATION OF SENIOR RECREATION SUPERVISOR:

That the leases outlined in his letter of March 8th be renewed for a period of one year; the term to be from January 31, 1971 to January 31, 1972.

It was pointed out by Assistant to the City Manager Jackson that certain of the above leases are on the Edison property at 235th and Crenshaw and the further fact that the Edison Company is hoping to establish their landscape plans for their substation at some future date, which might necessitate cancellation of the leases at that time. City Manager Ferraro indicated that he would arrange for a meeting with the Little League people so that there would be understanding in this regard.

ADDENDA ITEMS:

37. DON WILSON BUILDERS RE: flags, banners, pennants, etc.

The need for flags, banners, and pennants, as outlined by Mr. Wilson in his communication of March 2nd, was reviewed by the Council.

It was the recommendation of Councilman Johnson that this matter be returned to Planning for another look at the established standards, to the end that flags, banners and pennants would be permitted under certain circumstances and specific controls.

Councilman Brewster commented that the present suffering has been caused by the current short term economic depression, and the relief that is sought has primarily to do with that problem -- it was Mr. Brewster's suggestion that this section of the ordinance be set aside, on a short term basis perhaps, until the economy is stabilized.

It was stated by Mayor Miller that this particular area of the sign ordinance seems to present the most problems; apparently flags and pennants serve a good purpose when tastefully done -- in the opinion of the Mayor they should be permitted but with controls.

Of concern to Councilman Uerkwitz is the fact that whatever action taken be an equitable action, in view of those people presently complying.

Discussion followed on the present provisions of the Sign Ordinance, with clarification by Building and Safety Director McKinnon; it was the recommendation of City Attorney Remelmeyer that this matter be referred back to the Planning Commission so that some guidelines might be established, and the following action resulted:

MOTION: Councilman Johnson moved that this matter be referred to the Planning Department and the Planning Commission, as well as to the City Attorney, for the development of necessary laws to permit the pennants and flags under specific controls. The motion was seconded by Councilman Uerkwitz, and roll call vote was unanimously favorable.

City Manager Ferraro stated that, pending the above action, he would instruct the Enforcement Officer not to enforce that section of the ordinance as it might apply to Mr. Wilson, or others similarly affected, within reason. Concurrence was indicated by the Council.

38. ORDINANCE No. 2206 re: Dismantled and Inoperative Vehicles.

Heard earlier in the meeting.

39. RESOLUTION re: BOOZ, ALLEN AND HAMILTON, INC. REPORT.

Following a detailed report by Councilman Johnson relative to the subject resolution, it was given a number and title was read by City Clerk Coil:

RESOLUTION NO. 71-62

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE URGING THE LOS ANGELES COUNTY BOARD OF SUPERVISORS TO ADOPT AND IMPLEMENT THE REPORT OF BOOZ, ALLEN AND HAMILTON, INC. ON THE COST OF PROVIDING LAW ENFORCEMENT SERVICES FOR CONTRACT CITIES AND URGING IT TO ALLOCATE BACK TO THE INDEPENDENT CITIES OF LOS ANGELES COUNTY THEIR PRO RATA SHARE OF THE DIFFERENCE BETWEEN WHAT THE COUNTY HAS BEEN CHARGING THE CONTRACT CITIES FOR THESE SERVICES AND WHAT IT HAS COLLECTED DURING THIS FISCAL YEAR.

Councilman Johnson moved for the adoption of Resolution No. 71-62. His motion, seconded by Councilman Surber, was unanimously approved by roll call vote.

It was the request of Councilman Johnson that he provide the Board of Supervisors with an advance copy of the resolution, on behalf of the Council; there were no objections.

The Council now returned to the Public Hearing items on the agenda:

14. APPEAL - CUP 71-1, TACO BELL:

Mayor Miller announced that this is the time and place for the subject public hearing, and invited those who wished to speak on this matter to do so at this time.

It was noted by Mayor Miller that this appeal has been made by Councilman Uerkwitz on behalf of Roy C. and E. Carolyn Nestrick.

Mr. Roy Nestrick, 4214 West 238th Street, was present to elaborate on his February 11th communication which urged denial of CUP 71-1 for the reasons that it could become a "hippie" hangout, there are presently an abundance of eating establishments on Pacific Coast Highway, and, also, a hangout for South High students.

Additional correspondence, relative to the proposed "Taco Bell", from Bayco, Kasden's, and Smith Bros. Indian Village, was noted.

Representing "Taco Bell," Mr. Richard Jasmine, 3523 West 228th Place, stated that "Taco Bell" currently operates a facility in Torrance and that there has never been any Police Department problems pertaining to this operation -- Mr. Jasmine also pointed out the Planning Commission requirement that there not be outside seating at this particular facility and that it be treated as a "take-out" restaurant. Further, some 4-to-12 people will be employed per week, in the age group of 17 to 21 years of age, for the most part, in addition to Store Managers and Assistant Store Managers.

At questions posed by the Council, Police Chief Nash advised that there is no record of problems at this establishment; City Traffic Engineer Horkay stated that no traffic problems are anticipated at this location.

Mr. Sidney Kasden, owner of Kasden's on Pacific Coast Highway, commented on the many eating places in this area at the present time, the heavy Hawthorne Boulevard traffic, and the need for varied "service" businesses in this area in view of the extensive apartment development here. On behalf of the various businessmen in his particular area, Mr. Kasden stated that only prime development should be permitted in the best interests of all.

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.

Councilman Uerkwitz indicated his concurrence with comments regarding oversaturation of this area with any specific type of development -- the subject area obviously does have more than its share of these type eating places. Mr. Uerkwitz thereupon MOVED TO DENY the Taco Bell restaurant. The motion was seconded by Councilman Brewster, with the comment that he is on record regarding this area as opposing the McDonald's development previous to this as a matter of oversaturation, litter, traffic, and other problems. Of further concern to Councilman Brewster is that many of these places take a lot of profit out of the community, and return only headaches to the community.

It was clarified by City Attorney Remelmeyer, at Councilman Wilson's question, that it is possible for the Council to permit a restaurant at one location and deny it at another so long as the decision is based on reason related to facts as to problems that might be presented the community.

Mayor Miller indicated disagreement with the above motion, stating that, in his opinion, economy of a City dictates often what should be erected -- having voted in favor of McDonald's, the Mayor cannot, in good conscience, oppose the subject request. It was added by Mayor Miller that there appears to be too much control from a legislative point of view as to what can be done with a commercial piece of property -- the proponent is before the Council only because of the conditional use permit for this type restaurant to protect a neighborhood; in this case, a shopping center is involved, backing up to apartments with no representation from the units in attendance. The Mayor further noted that the proposed business will create employment; it is a stable business and a proven success, and he will have to vote against the motion.

His observance of other Taco Bell operations was described by Councilman Johnson who found them very neat and clean and noted the outstanding marketing job done by Taco Bell for their kind of operation. Mr. Johnson has mixed emotions, however, in that he is considerably disturbed regarding the saturation of the area with eating establishments, particularly as relates to "take-out" food vs. sit-down family-type establishments.

Councilman Uerkwitz' motion for denial failed to carry, with roll call vote as follows, "yes" being for denial:

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

Positive action was taken by the Council in a motion offered by Councilman Wilson who MOVED to concur with the recommendation of the Planning Commission for approval of CUP 71-1, subject to conditions. His motion was seconded by Councilman Sciarrotta, and carried, with roll call vote as follows:

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

The hour being 7:20 P.M., a 5-minute recess was ordered by Mayor Miller.

* * *

ITEMS NOT OTHERWISE CLASSIFIED:

23. ORDINANCE NO. 2202 providing for the payment of License Taxes on Oil Wells.
ORDINANCE NO. 2201 imposing a tax on producing or severing oil or gas from the earth; and establishing provisions for the administration of said tax.
RESOLUTION declaring the Council's intention to use Oil Well License Fees and the monies in the Severance Tax Fund for particular purposes.

The recommendations of the Council Finance Committee were reviewed by its chairman, Councilman Sciarrotta, who noted as well the fact that only Mr. and Mrs. Johnson were in attendance at the Committee meetings.

Mayor Miller invited those present on this matter to speak at this time, and specifically noted that much of the material requested had been received only this date, without time for review.

First to speak was Mr. Lou Sismondo, 1974 West 235th Place, who, on behalf of the Southeast Torrance Homeowners Association, urged immediate passage of Ordinance No. 2201 -- Mr. Sismondo added that many issues have come about because of the Finance Committee's recommendation to enact this ordinance: ecology, conservation, punitive tax, etc. -- he noted as well that secondary recovery operations in this area will be very profitable over the next 8 to 10 years, per the reports submitted. In view of the City's need for additional revenue, it makes sense that this is the way to go; the severance tax is a logical step in that direction. In conclusion, Mr. Sismondo stated that while it is unfortunate that Torrance has not received its fair share of profits from the exploitation of oil resources in the past, it is imperative that the City Council pass the severance tax now before the State decides to act.

Mr. Richard Hall, 4622 Paseo de las Tortugas, president, Riviera Homeowners Association, spoke in support of Southeast Torrance Homeowners position in urging the passage of the severance fee and the increased license fee, acknowledging that he would question the \$500 fee, as has been generally indicated.

The president of the Marble Estates Homeowners Association, Mr. R.C. Harrison, reported the decision of this Board to favor passage of both the ordinances, 2201 and 2202.

On behalf of the Palo del Amo Homeowners Association, Mr. Don McGee, 22934 Juniper, stated that they feel that there should be a barrel tax, along with an increase in license fees -- but it is felt that the oil companies should have a chance to present their side; therefore, a committee meeting should be called.

Mr. Paul Burton, secretary, Walteria Homeowners Association, 2838 Winlock Road, stated that his organization backs SETHA in this matter.

Mr. Robert Abbey, 5536 Norton Street, Northwest Torrance Homeowners Association, stated that Torrance is not the first city to make such requirements on oil companies, and recalled the past history of problems surrounding oil wells in Southeast Torrance. Mr. Abbey would agree that a fair hearing should be afforded all; the oil companies were aware that this information must be furnished in sufficient time to make a decision, and they have failed to do so.

Next to speak was Mr. Bill Roberts, 3937 West 188th Street, who indicated concurrence with both the Finance Committee's recommendation and the passage of the subject ordinances -- there has been considerable stalling on the part of the oil companies over recent years; the Council owes the passage of these ordinances to the citizens of Torrance, particularly those in Southeast Torrance.

Mr. Henry Novicki, 2535 West 232nd Street, urged that the Council pass both of the subject ordinances -- a "stalling" atmosphere appears to exist; he is in favor of the proposed tax, and, in addition, recommended consideration of a tax on slant drilling within the boundaries of the City of Torrance as a separate tax. Mayor Miller strongly clarified that there is no intent to "stall" on this matter; a fair consideration is the primary concern of this Council.

At Mrs. Ponsford's specific question as to the date the material was received, Mayor Miller advised that the communication from Mr. McCutcheon, Western Oil and Gas Association, was received by the City Clerk's office on March 16, 1971, at 8:46 A.M.

Speaking at this time, Mrs. Genevieve Burchfield, 24017 Huber, recalled the beginning of the efforts to clean up the oil operations in Southeast Torrance -- it would now seem that history is repeating itself with late presentations by the oil people, further study by Council; it is ridiculous to continue in this line, in Mrs. Burchfield's opinion.

Mr. James T. McCutcheon, Manager, Tax and Statistics Department, Western Oil and Gas Association, 609 South Grand Avenue, Los Angeles, pointed out the need for thorough understanding of all aspects of government and taxes, noting that the oil industry contributes some three million dollars to the City of Torrance, with considerably more being paid by allied industries. His difficulties in compiling the statistics in this matter were described, as was the impact of the proposed tax. Mr. McCutcheon also stressed the need for additional time in order to present the complete, true picture.

Speaking for the Torrance Unit and Petroleum Lakes-Glazer, Mr. P.L. Lacombe apologized for the late delivery of his information, with the added comment that a careful review of the effect of what is proposed would be in order, for the overall good of Torrance

and its residents. Without careful analysis, Mr. Lacombe continued, action might be taken which would destroy the opportunity to go forward with secondary recovery programs -- Mr. Lacombe then outlined the efforts, financial and otherwise, of his company, and noted their feeling that a controlled drill site ought to be treated differently than one well site. A full hearing of all the facts would bring out these many considerations and would permit a fair decision by the Council, Mr. Lacombe concluded.

Mr. George Kurtz, 2211 Torrance Boulevard, presented the following figures: The number of individual operators in the Petroleum Producers Association is 26; there are 135 wells, with an average daily production of 4 barrels per day; the average price per barrel is \$2.65. Mr. Kurtz then stated that in the case of one operator with 11 wells producing 16,060 barrels per year with an annual gross revenue of \$41,756.00, were the proposed tax imposed this man will pay \$5500 for the privilege of doing business in this City. Other businesses in Torrance pay as follows: Sears in 1971 paid as its license fee \$4,512; U.S. Steel, \$5,026; AiResearch-Garrett, \$9,300; Mr. Kurtz deemed the inequities obvious. The real property taxes paid by the oil operators were also described by Mr. Kurtz, and the fact that they are paying their fair share and the further fact that 50% of these taxes go toward the education of a homeowner's child. In conclusion, Mr. Kurtz joined in requesting that there be a full hearing, in fairness to all.

Representing Standard Oil Company, Mr. Richard Burr (?) stated that he would concur with the previous speakers in the opposition of a final settlement in this case -- he also clarified that they are members of the Torrance Unit, represented by Mr. Lacombe, and are merely adding their voice in this controversial matter. Further, it is felt that the present proposal is unfair, and postponement was requested in order that a fair and equitable tax might result.

Mr. Harry Gorman, Petroleum Lakes Glazer Company, stated that the 5¢ barrel tax is excessive, and acknowledged that a barrel tax will be imposed but that there is a need for consideration as to the amount; the \$500 license fee, from \$36, is excessive. It was Mr. Gorman's suggestion that these figures be worked out in the committees involved, and that the matter be so referred.

Mr. Homer Morgan, owner and operator of Two Macks Electric located at 2223 Border Avenue, stated that this business has operated since 1928, with 90% of the work in the oil fields from Huntington Beach to Bakersfield -- at the present time most of the work is in the Torrance area, and it is Mr. Morgan's opinion that the \$500 fee is too much.

Discussion followed, it being the consensus of the Council that this matter be held for the requested full hearing; further, that a fee would be levied, the amount yet to be determined. It was the comment of Councilman Brewster that in the pressure to raise additional revenues, one overlooks some of the other objectives relative to the total oil problem -- one is to provide incentives for the oil people to clean up and consolidate their operations; another is to institute workable controls in the oil areas; and to establish workable and cordial relationships between this City, the homeowners, and the oil operators.

Continuing, Councilman Brewster stated that there are several considerations and approaches to the revenue problem -- for instance, a slant drilling fee; the application of fee to individual sites vs. to total drill sites, which would tend to consolidate the drilling operation; fees on tanks, etc. which might help to consolidate and clean those up; the possibility of giving credit where credit is due when people have made a concerted effort to clean up their operation; and the possibilities of graduated fees and schedules.

Councilman Brewster then joined in the concurrence that there be further study on this matter with referral to the appropriate committee, but with the commitment that there will be a severance tax and a substantial increase in license fees, with the committee to work out the details, it being understood that their considerations will not be punitive nor confiscatory but with an eye to the total oil problems in the City.

The propriety of specifying certain categories for these anticipated funds, or whether it can go into the General Fund, was questioned by Councilman Wilson and deemed a matter for consideration by the committee.

It was the request of Mrs. Arnold Johnson that there be some research into a recent magazine article wherein the statement is made that "the oil and gas business is still the kingpin of tax shelters" -- perhaps it would be well to delve into developmental costs in connection with the Torrance Unit Water Flood in that it has been rumored that eight million dollars is being spent to put water in and pull oil out, and the tax relationship in this regard.

Meeting dates were reviewed, it being agreed that the committee meeting could be scheduled for Thursday, April 1st, at 7:00 P.M., with this item to be returned to the April 6th Council agenda. Mayor Miller so MOVED; his motion was seconded by Councilman Sciarrotta, and there were no objections.

Mr. Harrison, Marble Estates Homeowners Association, returned to commend the Council for their favorable consideration of the entire program. Added by Mr. Sismondo: "This City is not lacking in leadership, not one darned bit!"

* * *

The hour being 9:10 P.M., a 5-minute recess was ordered by Mayor Miller.

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24. ORDINANCE "A" amending Code to provide that oil wells in the 01, 02, and 03 Combining Oil Districts shall be drilled, redrilled or deepened only upon issuance of drilling permit.

ORDINANCE "B" regarding same as above.

ORDINANCE "C" adding to Code to create Oil Board, establish its composition, powers and duties and manner of appointment, removal and compensation of its members.

The recommendations of the Parks, Recreation, and Community Development Committee were recited by Councilman Wilson, as was the minority report by Councilman Johnson. Councilman Brewster, as a member of this committee, reported his concerns regarding the Oil Board and the cost of staffing same, but, to him, the big issue of the oil problem is the overall issue of the 01, 02, 03, and 04 zoning, these matters still being the prerogative of the Planning Commission, as would the master planning of these zones, with Council review -- the Oil Board then serves as a kind of a catalyst which brings together the oil people, the City, and the homeowners to work out the detailed problems of the operation.

Mr. Arnold Johnson, 2278 West 232nd Street, representing the Southeast Torrance Homeowners Association, stated that SETHA would like to request a continuance in the matter of the subject ordinances, it being their opinion that the Council in creating the 01, 02, and 03 oil combining districts west of Crenshaw and north of Sepulveda gave permission to the CWOD unit and the Petroleum Lakes Glazer Company to drill at these sites. Further, it is felt by SETHA that the Planning Department and the Planning Commission, without right of denial of permission to drill, should be assigned the task of establishing conditions for the issuance of drilling permits which relate to the objectives of the City's land use law.

The question of a secondary recovery program, Mr. Johnson continued, for Southeast Torrance, proposed during recent O-zone hearings, is another matter -- oil well drilling in their area is a non-conforming use; any variance applications accepted by the City should be for the formation of a secondary recovery oil well drilling district, not individual or collective 01, 02, or 03 sites. The boundaries of any such district, according to Mr. Johnson, should be identical with those submitted to the Division of Oil and Gas for approval -- SETHA members strongly feel the need for formal public hearings to elicit testimony for and against any proposed secondary recovery unit. Rules of evidence should apply. SETHA members are fearful of the Water Flood stimulation in the hundreds of long-capped wells under their houses, and prior to the commencement of any possible drilling operations in connection with Water Flood in Southeast Torrance, it is requested that the unit applicant be required to record and file with the City Attorney an agreement approved by the City Attorney providing that the unit applicant, its successors and assigns, shall pay for any and all damages to persons and property, whether public or private, when such damages are reasonably shown to have been caused by the operations of the applicants, its successors or assigns, relative to this district or to have in any way arisen from the production, storage, or transportation of hydrocarbons relative to such district, whether caused by acts of God, violation of law, or otherwise.

In conclusion, Mr. Johnson, on behalf of SETHA, respectfully requested a 30-day continuance in order that a written report may be prepared on this matter.

It was clarified by City Attorney Remelmeyer that this applies only to existing zones, and does not create any new zones -- in order to permit secondary recovery in Southeast Torrance, it would be

necessary to have a change of zone for the Council to establish the particular 01, 02, 03, and 04 zone before any drilling could take place.

It was the comment of Mrs. Arnold Johnson that they do not feel that the City's approval of secondary recovery operations in Southeast Torrance should be by way of approving an individual 01, 02, or 03 zone -- it is felt that with the adoption of Ordinance 1665 the Council, in effect, approved the Torrance Unit Water Flood headed by CWOD. Councilman Brewster noted that apparently what is desired is a total master plan for the Southeast Torrance area, which can only occur by zoning hearings through the Planning Commission and the Council. Mrs. Johnson stated that this was correct, but in connection with the oil combining districts which exist now, their point is well taken in that these oil companies do have the right to drill there, and it doesn't take a petroleum engineer to decide the height of shrubbery, etc.; further, the Division of Oil and Gas is well able to look after matters under the ground -- the City's responsibility is for land use and land use compatibilities, and there remain many unanswered questions regarding the proposed Oil Board.

Mr. P.L. Lacombe spoke at this time, outlining the accomplishments between his company and the homeowners in their area where compatibility is concerned. Mr. Lacombe indicated that they have permits on several more wells, and his understanding that when these permits are used up they will be under the proposed provisions in the event they have to deepen, drill, or do whatever is necessary, like anyone else. It was further pointed out by Mr. Lacombe that they have their master plan of all their sites and have proceeded in that manner.

There is a tacit understanding, according to Councilman Johnson, that those permits already issued (specifically as it applies to Chanslor-Western) would not be included in the Council action on this, and there would be no need for them to repeat the procedure.

Mr. George Kurtz next spoke and referred to the apparent confusion as to exactly what procedure is necessary to create a secondary recovery program in Southeast Torrance oil fields -- it would seem that if there is to be such a program in Southeast Torrance it would be necessary to go before the Planning Commission and make application for a change of zone, followed by the appropriate hearings before the Commission and the Council. It would further seem that the concerns expressed by Mr. and Mrs. Johnson are not relevant, according to Mr. Kurtz, to the subject ordinance.

Mr. Don McGee, Palo del Amo Homeowners Association, commented that the proposed Oil Board would provide an expert in the petroleum industry who could set up standards for the wells and then could determine the feasibility of plans presented and the many factors that must be considered. A Planning Department representative on this Board would be able to determine beautification needs, etc.; the Oil Board would permit review of the entire situation by all interested parties, per Mr. McGee.

Mr. Robert Philpott, 2062 West 233rd, inquired as to the feasibility of placing a moratorium on the issuance of drilling permits in the City overall. Councilman Johnson pointed out the "gentleman's agreement" in this regard.

There was general concurrence by the Council that this matter should be held for 30 days -- Councilman Uerkwitz so MOVED, the date being April 13th that this item be returned to the Council agenda. The motion was seconded by Councilman Johnson, and roll call vote was unanimously favorable.

Councilman Brewster recommended that there at least be a first reading of the ordinance, and, at the time of his "yes" vote, commented that he did not particularly care for the delay but would go along with it.

It was reiterated by Councilman Johnson that those permits, particularly Chanslor-Western, already issued be permitted to continue.

The need for review of material prior to the meeting was pointed out by Mr. Al Florez on behalf of the homeowner associations. Mr. Kurtz indicated that his material would be provided no later than March 26th -- Mayor Miller requested that the City Manager make such information available to Mr. Florez, as should any information from the homeowner associations likewise be made available.

* * *

ORAL COMMUNICATIONS:

40. Councilman Johnson inquired as to the status of the requested information regarding the Southeast Torrance Library land; City Manager Ferraro advised that this will be on the next Council agenda.

41. The apparent misunderstanding regarding absences of Park and Recreation Commissioner Dougan was noted by Councilman Johnson who MOVED that the subject absences be forgiven and that he be marked even. There were no objections, and it was so ordered.

42. The effective float by the "People for Parks" group -- with leprechaun Guy Lee! -- to be in the Irish Parade was pointed out by Councilman Sciarrotta.

43. A communication commending Fire Department employees Burgin and Hall for an outstanding safety demonstration for the UCLA teacher training class was noted by Councilman Surber, with the request that this commendation be incorporated in their personnel files.

44. Councilman Surber requested that City Traffic Engineer Horkay investigate traffic problems at Crenshaw and Dalemead, involving school children -- there are problems as well on Palos Verdes Blvd. between Torrance and Sepulveda. Mr. Horkay noted that this second matter has been heard by the Traffic Commission and will shortly be before the Council.

45. Councilman Surber noted the recent "middle school" trend, a trend he does not favor, and requested that the City Manager investigate possible renegotiations, with a report back to the Council.

46. Next discussed by Councilman Surber was SCAG, with the comment that he is not in favor of remaining in SCAG in that they do not represent his feelings on reasonable government -- it was Mr. Surber's request that a report re: SCAG be furnished, as to its cost, the good derived, and what the effect would be if the City pulled out of SCAG.

47. Councilman Uerkwitz pointed out the proposed employee recognition plan and the fact that the Fire personnel earlier mentioned might well fit such a plan, with the request that Staff check this out.

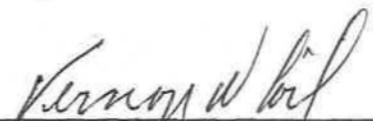
48. Councilman Sciarrotta indicated that he has a prepared statement on SCAG when the above requested report is presented.

49. It was the request of Councilman Wilson that the City Attorney prepare an ordinance in keeping with the Quimby Bill, patterned perhaps after the standards contained in the Hjelte report.

At 10:20 P.M. Councilman Sciarrotta moved to recess into an Executive Session. The motion was seconded by Councilman Brewster, and roll call vote was unanimously favorable. Mayor Miller announced that the Council would return to formally adjourn, but that no further business will be considered.

The Council returned at 11:20 P.M. Councilman Uerkwitz moved to adjourn to March 30, 1971, at 5:30 P.M. His motion was seconded by Councilman Uerkwitz, and roll call vote was unanimously favorable.

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

APPROVED:



 Mayor of the City of Torrance

Ava Cripe
 Minute Secretary

21.

City Council
 March 16, 1971