

I N D E X

City Council - April 6, 1971

<u>SUBJECT:</u>	<u>PAGE</u>
<u>OPENING CEREMONIES:</u>	
1. Call to Order	1
2. Roll Call	1
3. Flag Salute	1
4. Invocation	1
<u>STANDARD MOTIONS:</u>	
5. Approval of Minutes	1
6. Approval of Demands	1
7. Motion to Waive Further Reading	1
8. Council Committee Meetings	2
<u>PRESENTATIONS:</u>	
9. Award of Permaplaque to Mrs. Joann Silence	2
10. Award of Permaplaque to Torrance Wild Mustangs	11
11. Award of Permaplaque to Mrs. Hannah Saville	3
<u>PROCLAMATIONS:</u>	
12. "Voter Registration Week"	3
13. A. "Pan American Day" and "Pan American Week"	3
B. "Ecology Week"	3
C. "March of Dimes Healthy Baby Day"	3
D. "Public Schools Week"	3
<u>PLANNING AND ZONING MATTERS:</u>	
14. Ordinance No. 2216 re: ZC 70-34	3
15. Resolution No. 71-80 re: V 70-14	3
16. Resolution No. 71-81 re: V 70-15	4
<u>TRAFFIC AND LIGHTING:</u>	
17. Entradero Avenue - Withdrawn from agenda	4
<u>PERSONNEL MATTERS:</u>	
18. Request for allocation of recurrent position to City Attorney's and City Manager's budget	4
19. Peace Officers Research Assn. meeting in San Diego	18
<u>ELECTION MATTERS:</u>	
20. Special Bond Election June 8, 1971	5,11-14
21. Resolution No. 71-82 re: Registrar of Voters services	5
<u>PRESENTATION:</u>	
22. 50th Anniversary Emblems to Little League Presidents	15
<u>NONCONTROVERSIAL ITEMS:</u>	
23. Expenditures over \$300	5,6
24. Senior Citizen Bus Program	7
25. Claim of Richard W. Gibbs	8
26. Award of Contract - Manual Aerial Lift	8
27. Notice of Completion - Crenshaw Boulevard	8
28. Establishment of Sewer Reimbursement District No. 90	8
29. Mountain Retreat - Recreation Department	9
<u>HEARINGS - PLANNING AND ZONING:</u>	
30. ZC 71-2, Torrance Planning Commission	14,15
<u>SECOND READING ORDINANCES:</u>	
31. Ordinance No. 2210	15
32. Ordinance No. 2211	15,16
33. Ordinance No. 2212	17
34. Ordinance No. 2213	17
35. Ordinance No. 2215	10

Ava Cripe  
Minute Secretary

i.

City Council  
April 6, 1971

<u>SUBJECT:</u>	<u>PAGE</u>
<u>ADDENDUM ITEMS:</u>	
36. Resolution No. 71-85 re: Special Bond Election Election Supply Contract	17
37. Sur La Brea Park Settlement	18
38. Resolution No. 71-83 re: California Highway Patrol Legislation	11
39. Reconsideration of Notices of Completion for Del Amo Boulevard and Van Ness Avenue	19
<u>ORAL COMMUNICATIONS:</u>	
40. City Attorney Remelmeyer re: hiring of Ralph Nutter	19
41. City Clerk Coil re: 50th Anniversary tickets	19
42. Asst. to City Manager Jackson re: Executive Session	19
43. Councilman Brewster re: Variance policy	19, 20, 21
44. Councilman Johnson re: computerized traffic signals	21
45. Councilman Surber re: Information Items C and E	21
46. Councilman Surber, thanks to Mr. Loren Schwenk	21
47. Councilman Uerkwitz re: Anza Avenue signals	22
48. Councilman Uerkwitz re: clarification on return of ordinances	22
49. Councilman Wilson commending efforts of Torrance Nurserymen	22
50. Dr. Tom Dale re: support of Riviera Hospital psychiatric facilities	22

Adjourned at 9:15 P.M. to Tuesday, April 13th, at 6:30 P.M.

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April 6, 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, April 6, 1971, at 5:30 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. (It was necessary for Councilman Sciarrotta to leave the meeting at 8:00 P.M.)

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

3. FLAG SALUTE:

At Mayor Miller's request, members of Troop #439, Junior Girl Scouts, led in the salute to the flag.

4. INVOCATION:

The invocation for the meeting was provided by Reverend William J. Roleder, First Lutheran Church.

STANDARD MOTIONS:

5. APPROVAL OF MINUTES:

Omitted from the March 16th Minutes, page 10: "MOTION: Councilman Sciarrotta moved for the approval of agenda items #31, 32, 33, 34, 35, and #36 as recommended. His motion was seconded by Councilman Uerkwitz, and roll call vote was unanimously favorable."

MOTION: Councilman Sciarrotta moved for the approval of the minutes of March 16, 1971, as above corrected. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

6. APPROVAL OF DEMANDS:

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

1. City Council  
April 6, 1971

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.

8. COUNCIL COMMITTEE MEETINGS:

Public Works Committee:

The standing first Tuesday of the month meeting was noted.

Finance Committee:

Following their meeting on Saturday, April 3rd, re: the oil matter, it is now possible to report back to the Council, with such report to be available for the April 13th agenda.

Legislative Committee:

April 12th at 11:00 A.M. to discuss S.B. 489, A.B. 11, and S.B. 333.

It was Councilman Sciarrotta's recommendation that TORRANCE DAY in Sacramento be attended by members of the City Council, along with Chamber of Commerce representatives, and he offered the following MOTION: That members of the Council attend Torrance Day in Sacramento, with appropriation of the necessary funds. The motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

"Town Hall" Meeting:

Councilman Wilson reminded those present of the "Town Hall" Meeting slated for Wednesday, April 14th, at 7 P.M. at the Recreation Center. It was then MOVED by Councilman Wilson that Staff be authorized to expend an amount not to exceed \$500 for necessary Staff and promotional materials in connection with the "Town Hall" meeting. The motion was seconded by Councilman Johnson, and roll call vote was unanimously favorable.

Park, Recreation, and Community Development:

Monday, April 12th, at 4:00 P.M. re: Rose Parade Float.

Transportation Committee:

Tuesday, April 13th, at 5:00 P.M.

PRESENTATIONS:

9. AWARD OF PERMAPLAQUE to Bette Joann Silence.

Mayor Miller, on behalf of the Council, acknowledged Mrs. Silence's outstanding service to the City as a member of the Torrance Beautiful Commission by way of a permaplaque presentation, with grateful acceptance thereof by Mrs. Silence.

2. City Council  
April 6, 1971

10. AWARD OF PERMAPLAQUE to the TORRANCE WILD MUSTANGS.

(Held for later in the meeting.)

11. AWARD OF PERMAPLAQUE to Hannah Saville.

Councilman Johnson, on behalf of the Council, presented the permaplaque in recognition of her years of service on the Library Commission to Mrs. Hannah Saville. Mrs. Saville expressed her appreciation for the opportunity to so serve the City for nine years.

PROCLAMATIONS:

12. "VOTER REGISTRATION WEEK" - April 8-15, 1971.

So proclaimed by Mayor Miller.

13. A. "PAN AMERICAN DAY" and "PAN AMERICAN WEEK".

B. "ECOLOGY WEEK".

C. "MARCH OF DIMES HEALTHY BABY DAY."

D. "PUBLIC SCHOOLS WEEK"

The above were so proclaimed by Mayor Miller.

PLANNING AND ZONING MATTERS:

14. ORDINANCE RE: ZC 70-34.

ORDINANCE NO. 2216

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING DIVISION 9 OF THE TORRANCE MUNICIPAL CODE TO RECLASSIFY THAT CERTAIN PROPERTY WHICH IS LOCATED AT THE NORTH SIDE OF 182ND STREET, APPROXIMATELY 105 FEET EAST OF GRAMERCY PLACE, AND DESCRIBED IN ZONE CHANGE 70-34.

(Torrance Planning Commission)

Councilman Sciarrotta moved for the approval of Ordinance No. 2216 at its first reading. His motion was seconded by Councilman Johnson, and roll call vote was unanimously favorable.

15. RESOLUTION re: VARIANCE 70-14.

RESOLUTION NO. 71-80

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE APPROVING A VARIANCE FROM THE PROVISIONS OF DIVISION 9, CHAPTER 3, ARTICLE 2, OF THE TORRANCE MUNICIPAL CODE, AS APPLIED FOR BY THE TORRANCE FOURSQUARE CHURCH IN PLANNING COMMISSION CASE NO. V70-14.

Councilman Wilson moved for the adoption of Resolution No. 71-80. His motion was seconded by Councilman Brewster, and roll call vote was unanimously favorable.

16. RESOLUTION RE: VARIANCE 70-15.

RESOLUTION NO. 71-81

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE APPROVING A VARIANCE FROM THE PROVISIONS OF DIVISION 9, CHAPTER 1, ARTICLE 20, OF THE TORRANCE MUNICIPAL CODE, AS APPLIED FOR BY HENRY AND EDITH WHITING, IN PLANNING COMMISSION CASE NO. V 70-15.

Councilman Surber moved for the adoption of Resolution No. 71-81. His motion, seconded by Councilman Uerkwitz, was unanimously approved by roll call vote.

TRAFFIC AND LIGHTING:

17. Additional traffic control devices on Entradero Avenue.

Withdrawn from agenda.

PERSONNEL MATTERS:

18. Request for allocation of recurrent position to City Attorney's and City Manager's budget.

It was the recommendation of Councilman Johnson that positions not be added during the middle of the year, as has been the general practice, and that the subject requests be deferred until budget time. Councilman Johnson so MOVED, and his motion was seconded by Councilman Uerkwitz.

The urgency of the request was explained by City Attorney Remelmeyer, as were the services performed by Mrs. Hudgins in the preparation of Airport leases and agreements. There was further clarification by Assistant to the City Manager Jackson in that the employee would have no standing, the funds are available in both cases for the City Attorney and City Manager's offices.

A SUBSTITUTE MOTION was made by Councilman Sciarrotta: That the subject recurrent positions be allowed. His motion was seconded by Councilman Wilson, and carried, with roll call vote as follows:

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

NOES: COUNCILMEN: Johnson, Uerkwitz.

19. Peace Officers Research Association Meeting in San Diego.

(Held for later in the meeting.)

ELECTION MATTERS:

- 20. SPECIAL BOND ELECTION JUNE 8, 1971  
\$18,825,000 Park and Recreation Facilities.
  - A. RESOLUTION of interest and necessity.
  - B. ORDINANCE giving notice of a special election to be held June 8, for the purpose of submitting a proposition to incur bonded indebtedness for certain municipal improvements, providing for form of ballot, appointing election officers, and designating polling places.
  - C. RESOLUTION authorizing filing of written ballot arguments, with cover letter from City Attorney and City Clerk.
  - D. Letter from Councilman George W. Brewster.
  - E. Letter Agreement with O'Melveny and Myers.

(Held for later in the meeting.)

- 21. RESOLUTION requesting the Board of Supervisors to permit the Registrar of Voters to render services relating to the conduct of the Special Bond Election to be held June 8, 1971.

RESOLUTION NO. 71-82

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO PERMIT THE REGISTRAR OF VOTERS OF SAID COUNTY TO RENDER SPECIFIED SERVICES TO THE CITY OF TORRANCE RELATING TO THE CONDUCT OF THE SPECIAL BOND ELECTION TO BE HELD IN SAID CITY ON JUNE 8, 1971.

Councilman Sciarrotta moved for the adoption of Resolution No. 71-82. His motion, seconded by Councilman Wilson, was unanimously approved by roll call vote.

PRESENTATION:

- 22. Presentation of 50th Anniversary Emblems to the Torrance Little League Presidents for distribution to their teams.

(Held for later in the meeting).

NONCONTROVERSIAL ITEMS:

- 23. EXPENDITURES OVER \$300:

RECOMMENDATION OF FINANCE DIRECTOR:

That Council approve the following purchases:

A. BUDGETED ITEMS:

- 1. \$404.25 to Centerline Products for 100 gallons of red street curb marking paint as requested by the Traffic and Lighting Department.

2. \$454.65 to Hersey Sparling Meter Company for one only 6" Hersey Sparling meter to Los Angeles City's design as requested by the Water Department for use at the new City Hall.
3. \$337.89 to Park Son, Inc. for two only 12" water pipe sleeves, 6 only flanged 12" cast iron spools and one 6" cross connection as requested by the Water Department.
4. \$447.18 to Tell Steel, Inc. for various size cut pieces of steel as requested by the City Garage.
5. \$2308.85 to Magnetic TVI Corporation for a complete Sony Video tape system as requested by the Recreation Department for use in recording various craft, drama and sport activities. The instant replay capacity would allow students to actually observe their own performances.
6. \$515.97 to 3M Business Products for 16 rolls of photocopy paper and 11,200 sheets of white copy paper as requested by the Airport for their 3M copier.
7. \$504.62 to 3M Corporation for supplies for traffic control sign mapper located in the Traffic and Lighting Department.
8. \$1327.07 to Guardian Fence Company for various fencing materials as requested by the Park Department for fencing requirements at the Airport.
9. \$393.44 to Johnson Stationers for one each desk and chair set as requested by the Civil Service Commission.
10. \$632.10 to Constructors Supply for fourteen "high-level" warning signs as requested by the Park Department (12 each) and the Traffic & Lighting Department (2 each) for use on City streets. This is a safety sign which warns traffic of "road work ahead".

B. SPECIAL ITEMS:

11. \$1385.18 to Bro-Dart, Inc. for 139 adult and 118 juvenile books.
12. \$2843.54 to Ray Vane (South) Inc. for one only 4-door sedan as requested by the City Garage to replace City vehicle unit #7068, deemed no longer driveable by the Garage. This price is the low bid price for 4-door sedans on the 1971 vehicle bid #B70-63. This bid contained a provision for additional units to be purchased at the same bid price for each vehicle class "as required" during the current production year. It is requested that Council authorize an appropriation from the Garage Equipment Revolving Fund to cover the cost of this unit.

MOTION: Councilman Sciarrotta moved to concur with the recommendation on agenda item #23. His motion was seconded by Councilman Brewster, and roll call vote was unanimously favorable.

24. RECOMMENDATION OF COUNCIL TRANSPORTATION COMMITTEE  
regarding Senior Citizen Bus Program.

RECOMMENDATION OF COMMITTEE:

Continuance of the Senior Citizen Program in its present form until budget hearings; at which time it would be discussed and a decision made as to the direction the City Council intends to pursue.

Past considerations in this matter were reviewed by Councilman Johnson, -- it appears that the cost would not be too great to permit a program which would give the Senior Citizens an opportunity to ride any where in the City of Torrance on the Torrance Transit System for 10¢.

Noted by Councilman Brewster was the manner of the presentation of the figures in the subject report which makes it appear that the figures to date have resulted in a \$490 loss which is not necessarily so in that the elasticity on the bus lines is unknown.

Sr. Bus Operator Fred Wheeler reported his findings in comparing figures over the last year -- the only line that increased in passengers was the Los Angeles line, noting that the Senior Citizen fare reduction is only in the local zone.

Speaking at this time, Mrs. Helen Bertram recommended that the age limit be established at 60 years of age, and pointed out the existing misinformation relative to the bus lines which presents problems to the bus riders, along with a description of the generally poor service afforded.

A motion was offered by Councilman Uerkwitz: That Council allow Torrance Senior Citizens, 60 years of age or over with a registration card, to ride the buses for free. The motion was seconded by Councilman Johnson.

Prior to roll call vote on the motion, Councilman Brewster recommended that there be a 10¢ fare by way of a token payment. Councilman Wilson indicated his concurrence with this suggestion, in view of the fact that these are times of economic distress, particularly where the bus lines are concerned, and there is a credibility gap in suddenly announcing free bus rides; Dr. Wilson indicated his understanding regarding the need and his appreciation of what is being attempted, but it should not be a free service, there should be some token payment. Concurrence was indicated by Councilman Surber.

A SUBSTITUTE MOTION was made by Mayor Miller: That the bus rate be 10¢ per passenger, Torrance citizens, 60 years of age or over. The motion was seconded by Councilman Surber.

Following further discussion, Councilman Uerkwitz withdrew his earlier motion, as did Councilman Johnson his second. The Mayor's motion then became the main motion, and roll call vote was unanimously favorable.

Councilman Brewster urged that the bus system officials continue to gather the statistics and the data in order that a history may be built as to how those numbers vary with the fare changes so that there may be understanding of the motivation and elasticity involved in the fare structure of the system.

10

25. CLAIM of Richard W. Gibbs for property damages.

RECOMMENDATION OF CITY CLERK:

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

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

26. AWARD OF CONTRACT - Council approval for 36-foot Manual Aerial Lift - Van Mounted (Reference Bid #B71-7).

RECOMMENDATION OF FINANCE DIRECTOR/PURCHASING SUPERVISOR:

That Council accept the bid submitted by the Telsta Company and approve of the awarding of a contract to them for the one only 36 ft. aerial lift mounted on a van in the amount of \$16,166.48 including tax.

Councilman Johnson stated his opinion that a specification should have been worked out that would be acceptable to more than one firm, and recommended that this be returned for further work in this regard.

Finance Director Dundore pointed out that no protests had been received; further, that the subject price is within 3% of like equipment at Southern California Edison Company and the Department of Water and Power.

MOTION: Councilman Sciarrotta moved to concur with the above recommendation on item #26. His motion was seconded by Councilman Wilson, and carried, with roll call vote as follows:

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

NOES: COUNCILMEN: Johnson (he feels this a dangerous precedent).

27. NOTICE OF COMPLETION - Crenshaw Boulevard from 235th Street to Pacific Coast Highway (Job #66082) B70-39.

RECOMMENDATION OF CITY ENGINEER:

1. That the work be accepted;
2. That final payment be made to the contractor, Tomei Construction Company;
3. That \$27,000 be appropriated from State Gas Tax Funds.

MOTION: Councilman Uerkwitz moved to concur with the above recommendation of the City Engineer. His motion, seconded by Councilman Sciarrotta, was unanimously approved by roll call vote.

28. ESTABLISHMENT OF SEWER REIMBURSEMENT DISTRICT NO. 90.

RECOMMENDATION OF CITY ENGINEER:

1. That Sewer Reimbursement District No. 90, with a connection charge of \$8.75 per front foot be established to recover the cost of sewer construction.

- 2. That Dereoa, Inc. be refunded \$457.04 due to intentional overcharge of connection fee for S.R.D. No. 90

Councilman Uerkwitz MOVED to concur with the above recommendation of the City Engineer. His motion was seconded by Councilman Sciarrotta, and roll call vote was unanimously favorable.

29. MOUNTAIN RETREAT.

RECOMMENDATION OF DIRECTOR OF RECREATION:

That \$412 from the Unappropriated Reserve be allocated to the Torrance Youth Council to cover the cost of the transportation and insurance for their sponsored mountain weekend April 24-25 to be held at Camp Buckhorn near Idyllwild, California.

Present, representing the Torrance Youth Council, was Dan Stetson to provide the Council with any needed information.

It was the comment of Councilman Surber that this appears to be a somewhat selective group and that there is ample room here at the Recreation Center and new Library to accommodate the proposed discussion. In view of the fact that the budget is tight and the requirements are many, Mr. Surber would question the expenditure of \$412 for this purpose. It is the further opinion of Councilman Surber that activities of this nature are more in the realm of the schools, churches, YMCA, etc.

Mayor Miller stated that efforts such as these, as with conventions, result in the participants getting out of them what they put into them, and there is merit in having a seminar away from home -- when considering the fact that the requested \$412 will serve some 60 students, and the further fact that the Youth Council has been very valuable to the City, this would be a just reward, if it be considered a reward.

MOTION: Councilman Wilson moved to concur with the above recommendation of the Director of Recreation. His motion was seconded by Mayor Miller, and carried, with roll call vote as follows:

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

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At 6:45 P.M. Councilman Sciarrotta moved to recess as City Council and reconvene as the Redevelopment Agency. His motion was seconded by Councilman Brewster, and roll call vote was unanimously favorable.

The Council returned to its agenda at 6:46 P.M. to consider, out of order:

SECOND READING ORDINANCES:

35. ORDINANCE NO. 2215 providing for the dedication of land and the payment of fees for Park and Recreation Purposes.

Mr. Dick Miller, 1301 Amapola, requested continuance of the subject matter in that there is a need for additional time to permit further study and there is not general knowledge of this proposed legislation where a considerable amount of money is involved.

It was pointed out by City Attorney Remelmeyer that this matter has been referred to the Planning Commission for detailed study -- further noted by Mr. Remelmeyer was the fact that the ordinance is not effective as to any subdivision map which comes in within thirty days of its passage; the emergency status is as yet undetermined, and should an extension be granted and there is no emergency, there would be no ordinance in effect for any subdivision map which might come in within the thirty days.

Mr. Robert B. Curtis, attorney for Sante Fe Railroad and Chanslor-Western Oil and Development Company, joined in requesting that this matter be continued in that they learned of this ordinance only yesterday; he confirmed that any proposed development would be held in abeyance during this period.

It was the consensus of the Council that the request was in order, and Councilman Sciarrotta MOVED that Ordinance No. 2215 be delayed for thirty days. His motion was seconded by Councilman Johnson.

Prior to roll call vote on the motion, Mr. Nick Drale indicated his concurrence with the delay and his feeling that there is a definite need for further study.

Representing the League of Women Voters, Mrs. James Pierson reiterated their stand on the need for park land, recognizing the need for financing and acquiring the park land, and requested that this matter not be delayed too long.

Roll call vote on Councilman Sciarrotta's motion was unanimously favorable.

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The hour being 7:00 P.M. Mayor Miller ordered a 10-minute recess.

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The Council now returned to:

PRESENTATIONS:

10. AWARD OF PERMAPLAQUE to the Torrance Wild Mustangs on winning the United States Slo-Pitch Softball Championship and commending them for their outstanding achievement in the field of Slo-Pitch Softball Competition.

Mayor Miller, on behalf of the Council, presented the Torrance Wild Mustangs permaplaque to team representative Dr. Rodney Stetson with appropriate congratulations.

ADDENDUM ITEM:

38. RESOLUTION RE: LEGISLATION for Salary Increases, Educational Incentive, and Uniform Allowance for California Highway Patrol.

RESOLUTION NO. 71-83

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE URGING THE GOVERNOR AND MEMBERS OF THE LEGISLATURE OF THE STATE OF CALIFORNIA TO ADOPT SENATE BILL 153 (SALARY INCREASES), ASSEMBLY BILL 352 (EDUCATIONAL INCENTIVE), ASSEMBLY BILL 550 (UNIFORM ALLOWANCE) TO BRING THE CALIFORNIA HIGHWAY PATROL IN LINE WITH OTHER JURISDICTIONS IN THE STATE OF CALIFORNIA.

Councilman Surber moved for the adoption of Resolution No. 71-83. His motion was seconded by Councilman Johnson.

Prior to roll call vote on the motion, Councilman Surber elaborated on the needs of the California Highway Patrol and their unique contributions to the community. Mr. Surber then introduced Highway Patrolman Jim Bruno who further described the needs of the California Highway Patrol and urged backing by California citizens.

Roll call vote on Councilman Surber's motion was unanimously favorable.

ELECTION MATTERS:

20. SPECIAL BOND ELECTION JUNE 8, 1971 -  
\$18,825,000 Park and Recreation Facilities
- A. RESOLUTION of interest and necessity.
- B. ORDINANCE giving notice of a special election to be held June 8, for the purpose of submitting a proposition to incur bonded indebtedness for certain municipal improvements, providing for form of ballot, appointing election officers, and designating polling places.

- C. RESOLUTION authorizing filing of written ballot arguments, with cover letter from City Attorney and City Clerk.
- D. Letter from Councilman George W. Brewster.
- E. Letter Agreement with O'Melveny and Myers.

Mrs. Katy Geissert, on behalf of the Bond Issue Steering Committee, sought the full and unreserved support of the Council and Staff for the subject Bond Issue -- the time has come when it is necessary to stand together and throw all energies behind a positive campaign; the errors of 1957 should be avoided -- this time it is for keeps, according to Mrs. Geissert.

The new president of the Riviera Homeowners Association, Mr. Joe Clukey, indicated the support of this organization for the proposed Bond Issue.

Mrs. Elizabeth Lanzer, president of the League of Women Voters, noted their long held feeling that land must be acquired for parks -- in their opinion, the Bond Steering Committee has done everything right from a procedural standpoint and they have substantial backing in the community. Now is the time to put the proposition before the voters, according to Mrs. Lanzer, and the League will help in every possible way they can to see that the Bond is passed.

The president of the Northwest Torrance Homeowners Association, Mr. Robert Abbey, indicated support of the Bond Issue, noting that the cost will be in the area of \$1.00 per week to give to the people and children of Torrance a place to live and grow in.

Mr. Dean Cole, chairman of the Park and Recreation Commission and Bond Issue Steering Committee member, referred to the many, many hours of hard work and dedicated thought that has gone into this study at this point -- the Committee has tried to impress the residents of Torrance with the tremendous responsibility in acquiring park lands, and the time is now. Mr. Cole added that the Recreation Commission is 100% behind the Bond Issue and will work extensively for its passage.

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

RESOLUTION NO. 71-84

A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF TORRANCE, CALIFORNIA, DETERMINING  
THAT THE PUBLIC INTEREST AND NECESSITY  
DEMAND THE ACQUISITION AND CONSTRUCTION OF  
A CERTAIN MUNICIPAL IMPROVEMENT, AND MAKING  
FINDINGS RELATING THERETO.

Councilman Sciarrotta moved to waive further reading of Resolution No. 71-84. His motion, seconded by Councilman Uerkwitz, was unanimously approved by roll call vote.

12. City Council  
April 6, 1971

At this point Councilman Brewster specifically referred to his communication of April 1, 1971 (Item #20-D, a matter of record) which expresses his thoughts in this matter -- his concern is that the facts be put forth as accurately and as truthfully as can be done; the Chairman of the Bond Issue Steering Committee has assured the Council that this will be done. It was added by Mr. Brewster that it would then appear that approval of the Bond Issue will essentially mean a mandate from the people for this Council to levy the necessary revenue measures to make the total program work; Councilman Brewster, with these comments, will vote yes on the subject Resolution.

Councilman Surber indicated that he wished to echo Councilman Brewster's sentiments -- Mr. Surber wants the people to be fully aware of what this Bond Issue entails, what will be received and how much it will cost.

MOTION: Councilman Wilson moved for the adoption of Resolution No. 71-84. His motion, seconded by Councilman Sciarrotta, was unanimously approved by roll call vote.

ITEM B: ORDINANCE.

ORDINANCE NO. 2217

AN ORDINANCE OF THE CITY OF TORRANCE,  
CALIFORNIA, ORDERING, CALLING, PROVIDING  
FOR AND GIVING NOTICE OF A SPECIAL ELEC-  
TION TO BE HELD IN SAID CITY ON JUNE 8,  
1971, FOR THE PURPOSE OF SUBMITTING TO  
THE QUALIFIED VOTERS OF SAID CITY A  
PROPOSITION TO INCUR BONDED INDEBTEDNESS  
FOR A CERTAIN MUNICIPAL IMPROVEMENT.

Councilman Sciarrotta moved to waive further reading of Ordinance No. 2217. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

MOTION: Councilman Johnson moved for the approval of Ordinance No. 2217 at its first reading. His motion was seconded by Councilman Sciarrotta, and roll call vote was unanimously favorable.

ITEM C: RESOLUTION authorizing filing of arguments.

City Attorney Remelmeyer requested, at the request of O'Melveny and Myers, that reading of the subject resolution be deferred for one week for the reason that this action should follow passage of the ordinance.

Discussion followed as to the authorship of the arguments, and it was the consensus of the Council that this should be done by the Bond Issue Steering Committee -- suggested signatures were the Mayor, a School Board member, the Bond Issue Steering Committee member so selected, and a Park and Recreation Commissioner. City Attorney Remelmeyer indicated that he would return on April 13th with the appropriate procedure to be followed both as to arguments and signatures.

(It was necessary for Councilman Sciarrotta to leave the meeting at this time - 8:00 P.M.)

ITEM D. Letter dated April 1, 1971 from George W. Brewster. Noted on Page 13.

ITEM E. Letter Agreement dated March 16, 1971 from O'Melveny and Myers, Bond Counsel.

MOTION: Councilman Wilson moved approval of authorization of execution of the subject document, a contract for employment of O'Melveny & Myers as bond counsel. The motion was seconded by Mayor Miller, and roll call vote was unanimously favorable (Absent: Councilman Sciarrotta).

It was confirmed by Councilman Brewster that some kind of a tax statement will accompany the sample ballot -- Mr. Brewster then inquired if this would be a total cost disclosure type of statement, and was advised by Finance Director Dundore that it would only consist of debt service information. The type of "total cost" referred to by Councilman Brewster (maintenance, etc.) was generally deemed by the Council to be a part of the ballot argument and a matter that will be thoroughly explored by the opposition. It was Councilman Brewster's feeling that the total cost should be incorporated in this material; City Attorney Remelmeyer indicated that this could be discussed with the Bond Counsel; he will do so and return with an opinion.

\* \* \* \*

The hour being 8:10 P.M. a recess was ordered by Mayor Miller.

\* \* \* \*

HEARINGS - PLANNING AND ZONING:

30. ZONE CHANGE 71-2, TORRANCE PLANNING COMMISSION.  
Change of Zone from R-3 and A-1 to any of all zones.  
RECOMMENDED FOR APPROVAL BY THE PLANNING COMMISSION.

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

Mayor Miller announced that this is the time and place for the public hearing on Zone Change 71-2, and invited those present on this matter to speak at this time.

Mr. William Largent indicated his concern that the shopping center be zoned to conform to its present use, and that the existing houses be zoned R-1.

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

14. City Council  
April 6, 1971

It was the comment of Councilman Brewster that this case represents proper action in that it accomplishes the same thing and the same objective as Variance 70-17, which Mr. Brewster deemed a procedural error; since both actions accomplish the same objective, Mr. Brewster can see no reason for the previous action and the precedent set by Variance 70-17.

MOTION: Councilman Uerkwitz moved to concur with the recommendation of the Planning Commission on ZC 71-12. His motion was seconded by Councilman Brewster, and roll call vote was unanimously favorable (Councilman Sciarrotta absent).

PRESENTATION:

22. Presentation of 50th Anniversary Emblems to the Torrance Little League Presidents for distribution to their teams.

The 50th Anniversary Emblems were presented by Mayor Miller to the Little League Presidents in attendance, along with an expression of appreciation for these efforts.

SECOND READING ORDINANCES:

31. ORDINANCE NO. 2210.

ORDINANCE NO. 2210

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING DIVISION 9, ARTICLE 4 OF THE TORRANCE MUNICIPAL CODE TO ELIMINATE THE OVERLAY "O" COMBINING OIL DISTRICT ON PROPERTY LOCATED ON THE SOUTH SIDE OF DEL AMO BOULEVARD, APPROXIMATELY 500 FEET WEST OF WAYNE AVENUE AND 300 FEET EAST OF THE WESTERLY CITY LIMITS, AND DESCRIBED IN ZONE CHANGE 70-31.

(Torrance Planning Commission)

Councilman Johnson moved for the adoption of Ordinance No. 2210 at its second and final reading. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable (Absent: Councilman Sciarrotta).

32. ORDINANCE NO. 2211.

ORDINANCE NO. 2211

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE ADDING CHAPTER 6 TO DIVISION 4 OF THE TORRANCE MUNICIPAL CODE PROHIBITING EMISSION OR CREATION OF NOISE BEYOND CERTAIN LEVELS AND REPEALING ORDINANCE NO. 2170 RELATING TO THE SAME SUBJECT.

15. City Council  
April 6, 1971

Prior to taking action on Ordinance No. 2211, it was stated by Councilman Uerkwitz that he would like to make the second reading on this ordinance include deletion of SECTION 46.7.3 EXCEPTIONS - (1) Aircraft in flight -- per his discussion at the March 30th Council meeting. Mr. Uerkwitz indicated that he would have no objection to deleting (2) re: motor vehicles as well.

City Attorney Remelmeyer reaffirmed that there is no intention on his part to apply this ordinance to any aircraft in flight.

Discussion followed on Mr. Uerkwitz' request -- it was Councilman Wilson's suggestion that at such time as the City would have appropriate authority that the correction be made at that time. Suggested wording by Councilman Brewster: "The following sources are specifically excluded ~~from~~ from the provisions of this ordinance - those sources from which the City is mandated from jurisdiction by higher authority."

Councilman Uerkwitz then MOVED re: Ordinance No. 2211, Section 46.7.3 EXCEPTIONS that items (1) and (2) be deleted. The motion was seconded by Councilman Johnson.

Discussion resumed with City Attorney Remelmeyer pointing out the problems presented his office in this regard; Airport Manager Egan described the noise emission standards represented by S.B. 645 and the controls that will be available to the Airport. Mr. Egan pointed out as well the absence of jurisdiction by the City in the subject discussion because of Federal control of air space in the United States.

Roll call vote on Councilman Uerkwitz' motion was unanimously favorable (Councilman Sciarrotta absent). Councilman Wilson indicated that his "yes" vote was with the feeling that no real purpose would be served; Mayor Miller stated that his "Yes" vote was a reluctant one.

Councilman Uerkwitz then MOVED to approve Ordinance No. 2211, as amended.

It was then learned that this must represent the first reading of Ordinance No. 2211 in view of the substantial change represented by the above action. Councilman Brewster stated that in that case he would change his vote to "no"; Councilman Wilson and Mayor Miller likewise changed their votes to "no" and the original motion failed to carry because of a tie vote.

Councilman Uerkwitz was not in agreement that it was necessary to return the ordinance and labelled it a "maneuvering" action in that the proposed change is well understood and has been debated at length.

MOTION: Mayor Miller moved for the adoption of Ordinance No. 2211 in its present form. His motion was seconded by Councilman Wilson, and carried, with roll call vote as follows:

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

33. ORDINANCE NO. 2212.ORDINANCE NO. 2212

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING SECTION 17.42.1 AND SECTION 17.44.1 OF PART 4, CHAPTER 7, DIVISION 1 OF THE TORRANCE MUNICIPAL CODE REGARDING HOURS OF WORK AND OVERTIME COMPENSATION FOR CERTAIN OTHER EMPLOYEES.

Councilman Johnson moved for the adoption of Ordinance No. 2212 at its second and final reading. His motion was seconded by Councilman Surber, and roll call vote was unanimously favorable (Councilman Sciarrotta absent).

34. ORDINANCE NO. 2213.ORDINANCE NO. 2213

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING SECTION 17.121.2 OF PART 12, CHAPTER 7, DIVISION 1 OF THE TORRANCE MUNICIPAL CODE WHICH DEALS WITH THE OCCUPATIONAL LIST OF CLASS TITLES.

Councilman Wilson moved for the adoption of Ordinance No. 2213 at its second and final reading. His motion, seconded by Councilman Surber, was unanimously approved by roll call vote (Councilman Sciarrotta absent).

35. ORDINANCE NO. 2215.

Heard earlier in the meeting.

ADDENDUM ITEMS:

36. RESOLUTION re: SPECIAL BOND ELECTION JUNE 8, 1971.  
Election Supply Contract with Martin & Chapman Company.

RESOLUTION NO. 71-85

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE REPEALING RESOLUTION 71-75 AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST THAT CERTAIN ELECTION SUPPLY CONTRACT BY AND BETWEEN THE CITY OF TORRANCE AND MARTIN & CHAPMAN COMPANY RELATING TO THE SPECIAL BOND ELECTION TO BE HELD ON JUNE 8, 1971, AND AUTHORIZING EXECUTION OF AN AMENDED CONTRACT BETWEEN THE CITY AND MARTIN & CHAPMAN COMPANY RELATING TO THE SAME ELECTION.

Councilman Uerkwitz moved to waive further reading of Resolution No. 71-85. His motion was seconded by Councilman Surber, and roll call vote was unanimously favorable (Absent: Councilman Sciarrotta).

Councilman Wilson moved for the adoption of Resolution No. 71-85; his motion, seconded by Councilman Johnson, and roll call vote was unanimously favorable (Councilman Sciarrotta absent).

37. SUR LA BREA PARK.

RECOMMENDATION OF CITY ATTORNEY:

That Council approve the subject settlement by directing the Director of Finance to pay the sum of \$17,639.50 therefor (\$39.50 court costs) to William G. Sharp, Clerk of the Superior Court.

MOTION: Mayor Miller moved to concur with the above recommendation of the City Attorney re: Sur La Brea Park settlement. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable (Councilman Sciarrotta absent).

The Council now returned to:

PERSONNEL MATTERS:

19. Request for two days employer-employee leave to attend the Board of Directors Meeting of the Peace Officers Research Association of California in San Diego on April 9 and 10, submitted by Lieutenant Charles B. Oates, TPOA representative.

It was the comment of Councilman Johnson that while considerable time off has been taken, this is not really the time to curtail such leaves -- this being a "meet and confer" matter -- and there is a need for specific ground rules relative to these situations. Further, since Lieutenant Oates is the vice president of PORAC, denial would be doing him a disfavor -- Councilman Johnson thereupon MOVED to approve the subject request. The motion was seconded by Councilman Surber.

Prior to taking action on the motion, there was discussion as to the amount of time consumed to date by Police personnel, prospective future needs, and the fact that without the above approval it would be necessary to perhaps change days off, use vacation time, or take time without pay. At Mayor Miller's question, Police Chief Nash advised that the Bureau Commander had indicated there was no need for Lieutenant Oates on the requested days off.

With the comment that Lieutenant Oates, or a representative, should at least be here to present his case, Councilman Surber withdrew his second to the motion, and it died.

MOTION: Mayor Miller moved to file the subject request. His motion was seconded by Councilman Wilson, and carried, with roll call vote as follows:

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

NOES: COUNCILMEN: Johnson.

ABSENT: COUNCILMEN: Sciarrotta.

38. RESOLUTION RE: CALIFORNIA HIGHWAY PATROL.

Heard earlier in the meeting.

39. REQUEST FOR RECONSIDERATION OF NOTICES OF COMPLETION.

See below under Oral Communications.

ORAL COMMUNICATIONS:

40. City Attorney Remelmeyer requested authority to hire Mr. Ralph Nutter in connection with the Ector case. Councilman Wilson moved to approve the City Attorney's request, such services not to exceed \$3000. The motion was seconded by Councilman Brewster, and roll call vote was unanimously favorable (Councilman Sciarrotta absent).

41. City Clerk Coil reminded all present that 50th Anniversary tickets for the barbecue and fireworks show are now on sale.

ADDENDA ITEM:39. REQUEST FOR RECONSIDERATION:NOTICES OF COMPLETION -

1. Del Amo Boulevard from Crenshaw to Van Ness Avenue  
(Job #67051) B70-14
2. Van Ness Avenue from San Diego Freeway to Del Amo Blvd.  
(Job #66006) (B70-34)

City Manager Ferraro described the problems resulting from the hasty action taken by the Council, at his request, on March 30th involving the subject Notices of Completion and the waiver of the 35-day holding period within which to pay the 10% retention which resulted in the decision that it should not be waived.

MOTION: Councilman Johnson moved to reconsider the subject Notices of Completion. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable (Councilman Sciarrotta absent).

MOTION: Councilman Johnson moved to pay the monies due Mr. Ken H. Jones. The motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable (Councilman Sciarrotta absent).

42. Assistant to the City Manager Jackson requested that there be an Executive Session at 6:30 P.M. on April 13th; there were no objections, and it was so ordered.

43. A prepared oral communication regarding Variances, authored by Councilman Brewster, follows:

"I would like to once again express my continuing concern over what I consider to be a serious trend towards a laissez faire attitude and application of the laws of variance.

"I trust by now my colleagues on this Council have had ample opportunity to review the 'Variance Check-List' distributed at the March 30th Council meeting, and to appreciate the many tests of

hardship -- and the reasons therefor -- which must be met to legally qualify in a Court of Law for a variance.

"Unless we adhere to these standards, I suggest we play a dangerous game -- gambling that the courts will not be asked to reverse our decisions and thus in the process expose the City to possible liability actions resulting from procedurally illegal decisions by the City -- a game of politics rather than of government -- a game of government by whim rather than by law -- a game of government by men rather than by law. When the latter occurs, the law as an equally applied protective and governing device for all citizens begins to lose its meaning.

"We all fully support our local agencies and authorized agents in their efforts to uphold and enforce the law; yet, in my mind at least, we are guilty of hypocrisy when time and time again we ourselves continually set the law aside by granting unwarranted variances and waivers of one type or another.

"I would remind us all, for instance, that valid variance hardships must be unique peculiarities that by-and-large run with the land parcel involved; that hardships which are self-generated do not qualify -- INCLUDING THOSE DERIVED FROM BAD BUSINESS DECISIONS (parenthetically - it is not incumbent upon the City to bail out bad business ventures; free enterprise is a reward AND RISK system based upon a competitive economic structure, and the free functioning of the system is what leads to high levels of efficiency and service to the ultimate benefit of the consuming public. IF GOVERNMENT IS GOING TO INDEMNIFY EVERY BUSINESS, THEN WE NOT ONLY ENCOURAGE WASTE AND INEPTNESS AT A SOCIAL COST, WE WILL HAVE A SEMI-NATIONALISTIC, SEMI-SOCIALISTIC ECONOMIC STRUCTURE.) Personal problems are not proper grounds for variances, nor is delta profit, nor are economic constraints -- all these, and many more, are invalid reasons for setting the law aside.

"I would also point out to you that the burden of proof rests with the applicant; further, that laws are created for the general good and welfare and that what is purposefully and fairly enacted and imposed on all should in fact be imposed on all -- immunity for some without meeting the tests prescribed within the law and by the courts is whimsical at best and pork-barreling at worst. I am sure that citizens who are relying upon enforcement and support of the laws on the books would feel extremely uneasy knowing variances were being granted on the shallowest of grounds.

"Now the law is not intemperate nor lacking in humanism -- nor am I -- nor is the Staff -- as was implied by some in these chambers just a week ago. IF a valid case can be demonstrated, the law provides a relief mechanism, available to all. I AM SIMPLY REMINDING US ALL OF THE DEFINITION OF 'VALID HARDSHIP' -- for anything beyond that begins to make possible charges of favoritism and other games politicians are all-too-often wrongfully accused of playing. I happen to believe the electorate sent us here to help formulate good policies and laws, to see that laws once passed are applied, and to repeal laws when justification exists. In short, we were sent here to govern, not to daily administer the functioning of

the City, and most certainly not to politic. Now, if the law is truly creating a hardship on a sufficient number of persons, then the law should be changed and the change applied to all -- rather than perjurying and abusing the variance procedure to waive the law as applied to this or that individual, an approach which is unfair and discriminatory against every other individual.

"Since, then, the law and the courts say that variance grants must first meet certain criteria, I would ask this Honorable Body to reaffirm and adhere to a policy of setting forth in the record its findings in support of such criteria when granting a variance; and further, to extend this policy to the Planning Commission, requiring that august body to similarly set forth in the record its detail findings in support of variance criteria for those instances where a recommendation for approval is made; and in cases of recommendations for denial, to set forth its findings as to how, in its opinion, the case lacked legal merit and substance when compared to variance criteria.

"AND I WOULD SO MOVE."

The motion was seconded by Councilman Wilson.

Discussion followed. Councilman Johnson commented that he is not in disagreement with the foregoing remarks, but there is still a need for the Council to use its best judgment in making such findings, and it might prove difficult to hold to any specific set of rules.

City Attorney Remelmeyer requested that, if the above is to be carried out, the Planning Commission should indicate in their motions what the rationale is, rather than simply having the Planning Director figure it out.

There were no objections to the above motion, and it was so ordered. (Councilman Sciarrotta absent).

44. Councilman Johnson referred to Information Item B - South Bay Computerized Traffic Signal Control System - and recommended that this item be referred to the Traffic Commission. Further, according to Mr. Johnson, there is a need for immediate study relative to computerized traffic signals.

45. Specifically noted by Councilman Surber was the thank-you letter from Los Angeles Police Chief Davis for Torrance's resolution of support and the letter from Mr. Patrick Loughboro (Information Item E) commending Lieutenant Hone and Sergeant Weyant of the Torrance Police Department. Mr. Surber requested that this commendation be placed in their personnel files.

46. Councilman Surber also expressed his gratitude to Mr. Loren Schwenk for his efforts regarding the resolution of support to the Los Angeles Police Department, and requested that a letter of appreciation be sent him.

47. Councilman Uerkwitz referred to Item B, Computerized Traffic Signal Control System, and requested that the study include Anza Avenue and the lack of success with this signalization.

48. Further clarification by City Attorney Remelmeyer, at a convenient time, as to why Ordinance No. 2211 had to be returned were it amended, was requested by Councilman Uerkwitz. (Item #32)

49. Councilman Wilson called attention to the significant contribution by a group of Torrance citizens in connection with the Torrance Memorial Hospital -- by name, Mr. Tom Akiyama, Rolling Hills Nursery; Mr. Walter Miyamoto, Tropical Bowl Nursery; and Mr. Kenny Uyeda, Kenny's Nursery -- who effected a landscaping committee for the hospital, drew up the landscaping plans, and solicited donations by way of material, labor, plants, etc.

Last Friday, according to Dr. Wilson, some 10,000 yards of top soil arrived; on Saturday, Mr. Uyeda and his group levelled the area; and on Sunday, some 60 workers completed the task -- included were many valuable plants.

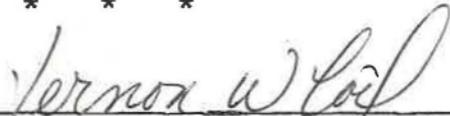
Councilman Wilson requested that there be recognition of this community contribution to these three individuals by way of permanent resolution -- Dr. Wilson so MOVED; his motion was seconded by Councilman Brewster, and there were no objections.

50. Dr. Tom Dale, Riviera Hospital, requested Council support, by way of a resolution, for psychiatric facilities at this hospital, following description of the urgent need in this regard. The Council concurred with the request in the following:

MOTION: Councilman Wilson moved that the Council request a resolution supporting the reactivation of the Riviera Hospital psychiatric facilities. The motion was seconded by Mayor Miller, and there were no objections. (Councilman Sciarrotta absent).

At 9:15 P.M. Councilman Johnson moved to adjourn to Tuesday, April 13th, at 6:30 P.M. The motion was seconded by Councilman Uerkwitz, and approval was unanimous.

\* \* \* \*

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

APPROVED:

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

Ava Cripe  
 Minute Secretary

22.

City Council  
 April 6, 1971