

I N D E XCity Council - May 11, 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>	
9A. "Chain of Title" from Title Insurance & Trust Company	2
9. Plaque commending Mrs. Jacquelyn J. Burdick	2
10. Plaque commending West High School Majorettes	2
<u>COMMENDATIONS:</u>	
11. Resolution No. 71-105 congratulating Torrance Eagles Soccer Team of South Bay Region	2
<u>PROCLAMATIONS:</u>	
12. "National Insurance Women's Week"	3
13. "Scouting Keep America Beautiful Day"	3
<u>HEARINGS - PLANNING AND ZONING:</u>	
14. ZC 71-6, William H. Campbell, R.A. Lowe, and L.E. Williams	5
15. ZC 71-7, Albert Levitt	6
16. V 71-6, Ling Liang World Wide Evangelistic Mission	6,7
17. ZC 71-10, Laurie R. Belger	7,8,9
18. Appeal of CUP 71-6, Laurie R. Belger	7,8,9
<u>PLANNING AND ZONING MATTERS:</u>	
19. ZC 70-27, A-1 Coast Rentals, Inc.	9
<u>APPEALS - OTHER THAN PLANNING AND ZONING:</u>	
20. Traffic Control Devices on Palos Verdes Blvd.	9
<u>STREETS AND SIDEWALKS:</u>	
21. Hawthorne Boulevard Landscaping and Street Lighting	9
<u>SANITATION MATTERS:</u>	
22. Rubbish Complaints from Ollie R. Harrison	10
<u>TRANSIT SYSTEM:</u>	
23. Resolution No. 71-106 re: Urban Mass Transportation Capital Grant	10
<u>WATER SYSTEM:</u>	
24. Resolution No. 71-107 retaining Brown and Caldwell	11
<u>ITEMS NOT OTHERWISE CLASSIFIED:</u>	
25. Ordinances re: oil well drilling permits; Oil Board	11
26. Ordinance No. 2223 and 2224 re: place of holding Council meetings	11
<u>PERSONNEL MATTERS:</u>	
27. Civil Service Commission Staff Work Count	12
28. Budget Amendment changing Int. Steno Clerk to Secretary	12
<u>COMMUNITY AFFAIRS:</u>	
29. Resolution No. 71-104 expressing appreciation to General John D. Ryan	12

<u>SUBJECT:</u>	<u>PAGE</u>
<u>SECOND READING ORDINANCES:</u>	
30. Ordinance No. 2221	12
31. Ordinance No. 2222	13
<u>NONCONTROVERSIAL ITEMS:</u>	
32. Expenditures over \$300	13,14
33. Jump Tower Exhibit for Armed Forces Day	14
34. Claim of Rolling Hills Plaza Company	14
<u>ADDENDA ITEMS:</u>	
35. Proclamation - "Good Posture Month"	14
36. Attendance at Training Course for Prosecuting Attorneys	14,15
37. Power Poles - Ainsworth Avenue	3,4,5
<u>ORAL COMMUNICATIONS:</u>	
38. Resolution re: low-income housing	15,16
39. Councilman Sciarrotta re: City Housing Code	16
40. Mayor Miller re: 107 Freeway	16,17
41. Councilman Wilson re: Goals	17
42. Councilman Wilson re: Quimby Bill	17
43. Mr. Bob Mason re: hazards on Del Amo and Entradero, erosion problems	17,18
44. Mrs. Diane Davis re: APCD report on soil sample	18
45. Mr. Bob Philpott re: freeway hearing	18

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Adjourned at 11:15 P.M.

May 11, 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, May 11, 1971, at 7:00 P.M. in the Council Chambers at Torrance City Hall.

2. ROLL CALL:

Present were Councilmen Johnson, Sciarrotta, Surber, and Mayor Miller. Councilman Wilson arrived at 8:50 P.M. due to University business. Absent: Councilman Brewster (illness); Councilman Uerkwitz (personal business).

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

3. FLAG SALUTE:

Boy Scout Troop #761 led in the salute to the flag, following their introduction by Mayor Miller.

4. INVOCATION:

The invocation for the meeting was provided by Father John Cummings, St. James Catholic Church.

STANDARD MOTIONS:

5. APPROVAL OF MINUTES:

Councilman Sciarrotta moved that the minutes of April 27, 1971 be approved as recorded. His motion was seconded by Councilman Surber, and roll call vote was unanimously favorable (Absent: Councilmen Brewster, Uerkwitz, Wilson).

6. APPROVAL OF DEMANDS:

Councilman Johnson moved that all properly audited demands be paid. His motion ^{was} seconded by Councilman Surber, and roll call vote was unanimously favorable (Absent: Councilmen Brewster, Uerkwitz, Wilson).

7. MOTION TO WAIVE FURTHER READING:

Councilman Sciarrotta 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

1. City Council
May 11, 1971

any such resolution or ordinance in regular order. The motion was seconded by Councilman Surber, and roll call vote was unanimously favorable (Absent: Councilmen Brewster, Uerkwitz, Wilson).

8. COUNCIL COMMITTEE MEETINGS:

Legislative Liaison Committee:

Unable to meet as scheduled on May 10th, due to illness of Councilman Brewster and inability of Councilman Johnson to attend; new date will have to be set.

PRESENTATIONS:

9A. A special presentation from the Title Insurance and Trust Company of a framed "CHAIN OF TITLE" for the City of Torrance was made, with grateful acceptance by Mayor Miller, with a special thank you to Mr. Peter Lacombe who was instrumental in obtaining this valuable document.

9. TILE PLAQUE commending Jacquelyn J. Burdick for dedicated service on the Youth Welfare Commission.

Mrs. Burdick was present for this presentation by Mayor Miller, on behalf of the Council, who expressed the appreciation of all for the dedicated services rendered by her.

10. TILE PLAQUE commending West High School Majorettes for winning the title of "1971 Western United States Championship Majorette Champions."

Councilman Sciarrotta, in the absence of Councilman Brewster who had requested this plaque, presented the plaque to the West High School Majorettes, with the congratulations of the Council.

COMMENDATIONS:

11. RESOLUTION congratulating Torrance Eagles Soccer Team of South Bay Region.

RESOLUTION NO. 71-105

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE CONGRATULATING THE TORRANCE EAGLES SOCCER TEAM OF THE SOUTH BAY REGION ON WINNING FIRST PLACE IN DIVISION III OF THE 1970-71 CALIFORNIA STATE CHAMPIONSHIP OF THE AMERICAN YOUTH SOCCER ORGANIZATION.

Councilman Surber moved for the adoption of Resolution No. 71-105. His motion was seconded by Councilman Johnson, and roll call vote was unanimously favorable (Absent: Councilmen Brewster, Uerkwitz, Wilson).

Mr. Ron McKee was present, along with Head Coach Tom Donahue, to express appreciation for the above recognition.

2. City Council
May 11, 1971

PROCLAMATIONS:

12. "National Insurance Women's Week" - May 16 - 22, 1971.
13. "Scouting Keep America Beautiful Day" - June 5, 1971.

So proclaimed by Mayor Miller.

In view of the many people, including television cameramen and personnel, present on the following non-agenda item, it was considered at this time:

37. POWER POLES - AINSWORTH AVENUE.

It was reported by Assistant to the City Manager Jackson that Staff has investigated the high tension lines through North Torrance, specifically at Ainsworth and 177th Street, and found that the Edison Company is in the process of finalizing these poles, with some 11 poles already installed in North Torrance -- the poles are approximately 100 ft. tall, 2 ft. in diameter, and are part of an inter-tie system between a North Torrance substation and the La Cienega substation in Baldwin Hills, in an attempt to balance out power so that no single area can go down at one time.

This specific project, Mr. Jackson continued, is 12 blocks in the City of Torrance, with the total length of the job some 23 miles -- the poles are quite large, but the Edison Company will be removing all other poles in the area so that the general effect will be approximately one pole where four presently stand.

It was further noted by Assistant to the City Manager Jackson that the Southern California Edison Company has expended some \$200,000 in the undergrounding of these various poles -- power, telephone, electrical, street lighting -- in the area, and will spend approximately nine million dollars for the entire project in the 23 miles involved. Further, per Mr. Jackson, the subject poles are being installed under the general franchise of the City of Torrance for Southern California Edison Company, for which the Edison Company pays the City of Torrance some \$160,000 to \$180,000 per year; they are also being installed under the provisions of the Public Utilities Commission of the State of California.

Invited to speak at this time was Dr. James Woods, 16810 Ainsworth Avenue, who first presented a petition bearing approximately 500 signatures of protest, followed by a videotape presentation graphically illustrating the situation in this area and relating the concern of the residents there.

On behalf of the North Torrance homeowners, Mr. John Mulvihill asked that the Council join them in obtaining a court decision in this matter; they are of the opinion that the Edison Company has exceeded its rights under the franchise, and it is hoped that this problem can be resolved.

Mayor Miller inquired if an Edison Company representative was present; there was no response. City Manager Ferraro advised that an invitation had been extended to the Edison Company to have a representative at this meeting.

Clarification regarding the franchise was furnished by City Attorney Remelmeyer in that the Edison Company has a perpetual franchise with the City; it was Mr. Remelmeyer's suggestion that he and the City Manager contact the Public Utilities Commission to request investigation of the matter to determine whether or not the subject lines are proper, or whether or not an alternative route is superior, and whether or not they might be feasibly undergrounded. Mr. Remelmeyer added that public utilities, including the Edison Company, are, by the constitution and laws of the State, regulated by the Public Utilities Commission.

It was reported by Mr. Mulvihill that they have contacted the Public Utilities Commission and were informed that the right to approve the route is between the Edison Company and the City of Torrance -- their jurisdiction is only over the construction and safety details, and deny any right to decide the route. It was noted by Assistant to the City Manager Jackson that if a new route is adopted, the City of Torrance is called upon to give input into the decision regarding the route to be adopted; at the time the subject route was adopted, ^{over} two years ago, the general order of the PUC was not issued at that time and did not affect this specific routing -- this routing had been approved by the Public Utilities Commission, it was adopted and underway minus any City control. Mr. Jackson added that the Council was made aware of this, pictures of the poles were presented, but was not given any options as to routes to be taken.

Questioned by Councilman Sciarrotta was how it is possible to give a franchise which will run in perpetuity, in view of ever-changing conditions? City Attorney Remeyer responded that it is unlikely that the City Council would grant a franchise in perpetuity any more, but franchises in perpetuity have been given in the past. It was added by Mr. Remelmeyer that, if desired, the Council could direct him, in line with Mr. Mulvihill's recommendation, to bring a proceeding to obtain an injunction against the Edison Company's continuing to place poles on that right-of-way, and to remove those that are already up -- considerable legal work would be involved, according to Mr. Remelmeyer.

It was the recommendation of Councilman Johnson that Staff, at the same time, examine alternative routes with the Edison Company to see if a more suitable route could be located.

MOTION: Councilman Sciarrotta moved that the City Attorney be instructed to use every avenue possible to keep this work from going on -- in the meantime, to work with the Edison Company regarding possible rerouting of these wires to a less objectionable area. The motion was seconded by Councilman Surber.

Prior to roll call vote on the motion, Councilman Surber elaborated on his concern regarding such poles in the front yards of these residents; further, he had no knowledge that this was proposed, and that the Council, as a body, will do all possible to alleviate the situation.

Mayor Miller labelled the poles "monstrosities" -- there likely will be some relief with removal of the other poles, but the Mayor would not want them in front of his house.

It was stated by City Manager Ferraro, at the request of and on behalf of Councilman Wilson, that Dr. Wilson would support the Council in any action it might take to hold this matter pending some type of court decision.

The motion carried, with roll call vote as follows:

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

Praise for their presentation was given the homeowners by both Councilman Johnson and Mayor Miller.

HEARINGS - PLANNING AND ZONING:

14. ZONE CHANGE 71-6, WILLIAM H. CAMPBELL, R.A. LOWE, AND L.E. WILLIAMS. Change of zone from R-3 to C-2 on property located at the southwest corner of Pacific Coast Highway and Rolling Hills Road.

RECOMMENDED FOR DENIAL BY THE PLANNING COMMISSION.
Affidavit of Publication presented by City Clerk Coil.

Mayor Miller announced that this is the time and place for the public hearing on ZC 71-6, and invited those present on this matter to speak, following the formal presentation by Planning Director Shartle.

Mrs. Diane Davis, 2936 Winlock Road, representing the Walteria Homeowners Association, expressed their opposition to the subject zone change and to any restaurant that might go on this property due to the traffic hazards that would be created. Mrs. Davis would agree that something should be done with this strip property and advised that she is presently working on a plan in conjunction with the City to improve the appearance of the strip, noting that this unsightly property along Rolling Hills Road belongs to the City.

Next to speak was Mr. John Dunbar, 2823 Danaha, who expressed his opposition to a drive-in restaurant because of the noise it would create.

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

MOTION: Councilman Johnson moved to concur with the recommendation of the Planning Department for DENIAL of ZC 71-6 and that approval be for a change to R-P or C-R for protection of the residential area; further, that this matter be referred back to the Planning Commission for study and recommendation as to which zone should be selected. The motion was seconded by Councilman Surber, and roll call vote was unanimously favorable. (Absent: Councilmen Brewster, Uerkwitz, Wilson).

15. ZONE CHANGE 71-7, ALBERT LEVITT.

Change of zone from A-1 and C-2 to C-3 (PP) on property located at the east side of Hawthorne Boulevard bounded by Newton Street and Park Street.

RECOMMENDED FOR APPROVAL BY THE PLANNING COMMISSION.

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

Mayor Miller announced that this is the time and place for the subject public hearing, noting that the proponent, Mr. Levitt, has requested that this hearing be continued to the June 8, 1971 Council meeting in order that a Precise Plan can be completed. There was no one present who wished to speak.

MOTION: Councilman Sciarrotta moved to continue ZC 71-7 to the Council meeting of June 8th. His motion was seconded by Councilman Surber, and roll call vote was unanimously favorable (Absent: Councilmen Brewster, Uerkwitz, Wilson).

* * * * *

At 8:15 P.M. Councilman Sciarrotta moved to recess as City Council, and reconvene as the Redevelopment Agency. His motion was seconded by Councilman Johnson, and there were no objections. A 10-minute recess followed at 8:17 P.M.

* * * * *

16. VARIANCE 71-6, LING LIANG WORLD WIDE EVANGELISTIC MISSION.

Request for a variance to permit the construction of a church on a one-half acre parcel of property in the C-1 zone.

RECOMMENDED FOR DENIAL BY THE PLANNING COMMISSION.

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

Mayor Miller announced that this is the time and place for the public hearing on Variance 71-6; there was the Staff presentation, and no one present who wished to speak.

Councilman Sciarrotta moved that the hearing be closed. His motion was seconded by Councilman Surber, and there were no objections.

Discussion by the Council followed. Councilman Sciarrotta was concerned regarding the precedent-setting aspect for other churches were the request approved. It was the comment of Mayor Miller that, with regret, he must vote against the request in that the progress of the community must be anticipated and possible later events in a residential area. The Mayor then suggested that it might be possible for the proponent to acquire the additional land at this location -- the proponent was present and indicated "no luck so far".

Councilman Johnson was in agreement that there should be some effort to acquire the additional land, and recommended a "subordination" arrangement; there certainly is a way to resolve this particular circumstance. City Manager Ferraro stated that the City's "real

estate team", with Council permission, would confer with the proponent and offer any possible assistance. Mayor Miller directed that this be done.

MOTION: Councilman Johnson moved to concur with the recommendation of the Planning Commission for DENIAL of V 71-6, with a direction to Staff to work with the proponent. The motion was seconded by Councilman Surber, and roll call vote was unanimously favorable (Absent: Councilmen Brewster, Uerkwitz, Wilson).

* * * * *

(Councilman Wilson arrived at the meeting at this time, the hour being 8:50 P.M.)

* * * * *

Considered together:

17. ZC 71-10, LAURIE R. BELGER.
Change of zone from R-1 to C-1, C-R, or R-P on property located at 25905 Crenshaw Boulevard.
RECOMMENDED FOR DENIAL BY THE PLANNING COMMISSION.
18. APPEAL OF CONDITIONAL USE PERMIT 71-6, LAURIE R. BELGER.
Appeal to allow the use of a single-family residential structure for law offices in an R-1 zone on property located at 25905 Crenshaw Boulevard.
DENIED BY THE PLANNING COMMISSION.

Affidavits of Publication for items #17 and #18 were presented by City Clerk Coil, and they were ordered filed, there being no objection.

Following the Staff presentation by Planning Director Shartle, Mayor Miller announced that this is the time and place for the public hearing on the above items.

Deputy City Clerk Moss presented a letter from Attorney Patrick Smith, representing the proponent, and it was incorporated in the record of this case.

Mr. Smith, 2424 Torrance Boulevard, on behalf of the applicant, reviewed the previously presented facts regarding this unique property, noting that there is no inter-relationship between this parcel and the adjacent parcel that would have either a detrimental or beneficial effect thereon because of the isolation of the subject property. An absence of problems relative to traffic, City services, etc. would be the case, according to Mr. Smith.

Discussion followed on the merits, if any, of the variance procedure in this case, and necessary controls.

Of concern to Councilman Wilson was the fact that approval of the request would be going against the recommendation of the Planning Commission, the Planning Department, the Engineering Department, the

Police Department -- there is a need for further justification for the Council to take such action.

Speaking at this time was Mrs. Diane Davis, 2936 Winlock Road, representing the Walteria Homeowners Association, who stated the hope that the Council would concur with the Planning Commission and Planning Department on this matter -- further, that there be consideration of the larger section of this Lot 5, to be before the Council in the near future, before considering any zone change on the smaller section.

There being no one else who wished to be heard, Councilman Johnson moved that the hearing be closed on items #17 and #18. The motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable (Absent: Councilmen Brewster, Uerkwitz).

It was the comment of Councilman Johnson that the subject property was developed R-1 with plans for further development along Crenshaw Boulevard -- as it stands now, it is literally a "white elephant", and it would seem that there could be found a reasonably good use on an interim, temporary basis. Mr. Johnson would be inclined in this case to go along with the requested zone change and conditional use permit, provided the conditions were such that it would revert upon the termination of the use as a law office, which would permit full control of what might happen to the property in the future.

Councilman Wilson stated that there is more to be considered than just this one particular location, noting the comment from the Planning Team that "any change now to commercial zone might encourage intensive development" and the Council would have already usurped its right to control the area.

Therefore, Councilman Wilson MOVED to deny Zone Change 71-10. The motion was seconded by Mayor Miller.

Mayor Miller stated that his only issue with this entire problem is that the hardship with this property must relate to the property itself -- this was built as an R-1 home, and can be so used; it is no different than any other home, except perhaps for its isolation, in the hill area. To permit a law office, in view of pending considerations of the entire land, would be premature, in the Mayor's opinion. Concurrence with these remarks was expressed by Councilman Sciarrotta.

The motion carried, with roll call vote as follows, "yes" being for DENIAL:

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

NOES: COUNCILMEN: Johnson.

ABSENT: COUNCILMEN: Brewster, Uerkwitz.

It was the comment of Councilman Johnson, at the time of his "no" vote, that the temporary use aspect of the request is certainly not any influence toward any further expansion.

In view of the denial of item #17, no action was necessary on #18, CUP 71-6.

PLANNING AND ZONING MATTERS:

19. ZONE CHANGE 70-27, A-1 COAST RENTALS, INC.
Request for modification of a previously approved zone change.

The proponent, Mr. Al Billings, was present to review the apparent misunderstanding regarding the Precise Plan requirement and the sketched plans which have been furnished.

Following discussion on the many considerations involved, Mayor Miller MOVED that there be further review by Staff, with the item to be returned next week. The motion was seconded by Councilman Johnson, and there were no objections.

APPEALS - OTHER THAN PLANNING AND ZONING:

20. Recommendations relative to appeal for additional Traffic Control Devices on Palos Verdes Boulevard from Torrance to Sepulveda Boulevards.

City Manager Ferraro stated that representatives have indicated that they would like to have this matter held over for a full Council. There were no objections, and it was so ordered.

STREETS AND SIDEWALKS:

21. Recommendation regarding Hawthorne Boulevard Landscaping and Street Lighting.

RECOMMENDATION OF UNDERGROUND UTILITIES COMMITTEE:

1. That Council approve and authorize the execution of the subject agreement with Lampman and Associates for preliminary street light and landscape design for Hawthorne Boulevard.
2. That Council appropriate an amount not to exceed \$5,000.00 from the General Fund for such services (such fee will be repaid to the City out of the 1911 Act Improvement District).

It was the request of City Attorney Remelmeyer that he be given the opportunity to change some of the details of the contract, if necessary.

MOTION: Councilman Surber moved to concur with the above recommendation, subject to City Attorney approval of the contract. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable (Absent: Councilmen Brewster, Uerkwitz).

It was the comment of Councilman Johnson that he still believes those high tension lines should not go down Hawthorne Boulevard.

* * * *

The hour being 9:30 P.M. a 5-minute recess was ordered by Mayor Miller.

9. City Council
May 11, 1971

SANITATION MATTERS:

22. Rubbish Complaints from Ollie R. Harrison.

RECOMMENDATION OF CITY MANAGER:

That Mr. Harrison be encouraged to contact City Staff on all future problems relating to City services or conditions. In addition, a meeting with Mr. Harrison and Staff should be arranged at this time to clarify any points of information which relate to the material presented in this report and which are not clear to Mr. Harrison. With this type of personal contact, Mr. Harrison can be assured of positive action on any future problems he may encounter.

Sr. Administrative Assistant Menard elaborated on the May 5th Staff report on this matter, with Sanitation Foreman Tandy clarifying the rules and regulations pertaining to trash containers.

Mr. Ollie Harrison, 5115 Scott Street, reiterated his difficulties with the City Manager's office (as outlined in his letter of May 1st), the results of his rubbish container survey, and his interpretation of the ordinance pertaining to rubbish.

Councilman Johnson recited his experience with the formation of the rubbish ordinance, and the information relative to injuries due to inconsistent containers, the need to improve the efficiency of the department by way of quick pickups, etc. obtained at that time -- all of which has resulted in a considerable savings to the residents. Mr. Johnson would concur with Staff in the overall picture.

At Mayor Miller's question, Mr. Harrison indicated that he would like to meet further with Staff in this matter to the end that there might be an exchange of constructive thoughts.

MOTION: Mayor Miller moved to concur with the above recommendation. The motion was seconded by Councilman Wilson; there were no objections, and it was so ordered.

Mayor Miller requested that both Mr. Tandy and Mr. Menard contact Mr. Harrison for the purpose of reviewing any suggestions that he might have which would prove beneficial to the City.

TRANSIT SYSTEM:

23. RESOLUTION authorizing the execution of an Urban Mass Transportation Capital Grant.

RESOLUTION NO. 71-106

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST AN URBAN MASS TRANSPORTATION CAPITAL GRANT CONTRACT BETWEEN THE CITY OF TORRANCE AND THE UNITED STATES OF AMERICA FOR PROJECT CAL-UTG-29.

10. City Council
May 11, 1971

Councilman Wilson moved for the adoption of Resolution No. 71-106. His motion was seconded by Councilman Sciarrotta, and carried, with roll call vote as follows:

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

WATER SYSTEM:

24. City Manager, in support of Water System Manager, recommending retaining Brown and Caldwell for specific engineering study and report with RESOLUTION "B" for \$20,000 appropriation.

RESOLUTION NO. 71-107

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST THAT CERTAIN AGREEMENT WITH BROWN AND CALDWELL FOR ENGINEERING SERVICES CONSISTING OF PERFORMING A STUDY AND PREPARING A REPORT PERTAINING TO THE WATER SUPPLY TREATMENT, AND DISTRIBUTION SYSTEMS, OWNED AND OPERATED BY THE TORRANCE MUNICIPAL WATER DEPARTMENT.

Councilman Sciarrotta moved for the adoption of Resolution No. 71-107. His motion, seconded by Councilman Johnson, was unanimously approved by roll call vote (Absent: Councilmen Brewster, Uerkwitz).

ITEMS NOT OTHERWISE CLASSIFIED:

25. ORDINANCE "A" re: oil well drilling permits.
ORDINANCE "B" re: the above.
ORDINANCE "C" re: creation of an Oil Board.

Mayor Miller suggested that this item be held over until next week when the full Council will be present; there were no objections.

26. ORDINANCE (Emergency and Regular) relating to the place of holding Council meetings.

ORDINANCE NO. 2223

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE REPEALING SECTION 12.1.4 OF THE TORRANCE MUNICIPAL CODE RELATING TO THE PLACE OF HOLDING COUNCIL MEETINGS AND SUBSTITUTING A NEW SECTION THEREFOR, AND DECLARING THE PRESENCE OF AN EMERGENCY.

Councilman Johnson moved for the adoption of Ordinance No. 2223, an Emergency Ordinance, at its first and only reading. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable (Absent: Councilmen Brewster, Uerkwitz).

ORDINANCE NO. 2224

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE REPEALING SECTION 12.1.4 OF THE TORRANCE MUNICIPAL CODE RELATING TO THE PLACE OF HOLDING COUNCIL MEETINGS AND SUBSTITUTING A NEW SECTION THEREFOR AND REPEALING EMERGENCY ORDINANCE NO. 2223 RELATING TO THE SAME MATTER.

Councilman Wilson moved for the approval of Ordinance No. 2224 its first reading. His motion was seconded by Councilman Surber, and roll call vote was unanimously favorable (Absent: Councilmen Brewster Uerkwitz).

PERSONNEL MATTERS:

27. Civil Service Commission Staff Work Count.

MOTION: Councilman Johnson moved to file the subject communication. His motion was seconded by Mayor Miller, and there were no objections.

28. Request of City Manager for budget amendment changing one position of Intermediate Stenographer Clerk to position of Secretary.

City Attorney Remelmeyer verbally reported the findings outlined in his Opinion on this matter -- that Council has the authority to approve the recommendation of the City Manager.

MOTION: Councilman Wilson moved to concur with the recommendation of the City Manager for the subject budget amendment. His motion was seconded by Councilman Johnson, and roll call vote was unanimously favorable (Absent: Councilmen Brewster, Uerkwitz).

COMMUNITY AFFAIRS:

29. RESOLUTION expressing appreciation to General John D. Ryan.

RESOLUTION NO. 71-104

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE EXPRESSING APPRECIATION TO GENERAL JOHN D. RYAN, CHIEF OF STAFF OF THE UNITED STATES AIR FORCE, FOR SERVING AS GRAND MARSHAL OF THE TWELFTH ANNUAL ARMED FORCES DAY PARADE.

Councilman Sciarrotta moved for the adoption of Resolution No. 71-104. His motion was seconded by Councilman Surber, and roll call vote was unanimously favorable.

SECOND READING ORDINANCES:

30. ORDINANCE NO. 2221.

ORDINANCE NO. 2221

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 190TH STREET BETWEEN KORNBLUM AVENUE AND FELBAR AVENUE, AND DESCRIBED IN ZONE CHANGE 71-2.

(Torrance Planning Commission)

Councilman Wilson moved for the adoption of Ordinance No. 2221 at its second and final reading. His motion was seconded by Councilman Sciarrotta, and roll call vote was unanimously favorable (Absent: Councilmen Brewster, Uerkwitz).

31. ORDINANCE NO. 2222.

ORDINANCE NO. 2222

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE ADDING CHAPTER 28 TO DIVISION 2 OF THE TORRANCE MUNICIPAL CODE RELATING TO THE IMPOSITION OF A TAX ON PRODUCING OR SEVERING OIL FROM THE EARTH IN SAID CITY: AND ESTABLISHING PROVISIONS FOR THE ADMINISTRATION OF SAID TAX.

Councilman Johnson moved for the adoption of Ordinance No. 2222 at its second and final reading. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable (Absent: Councilmen Brewster, Uerkwitz).

NONCONTROVERSIAL ITEMS:

32. EXPENDITURES OVER \$300:

RECOMMENDATION OF FINANCE DIRECTOR:

That Council approve the following purchases:

A. BUDGETED:

1. \$308.70 to Constructors Supply for 300 only 12" traffic cones as requested by the Traffic and Lighting Department as replacements.
2. \$1039.82 to Industrial Electronics for 72 only 4500 hour "Long Life" flood lamps as requested by the Traffic and Lighting Department as replacements.
3. \$379.58 to A.J. Bayer Company for one set of 4" bronze letters and 12 only 14" cast bronze plaques as requested for the new City Library. (This expenditure is part of the Library Bond Fund.)
4. \$394.80 to Gaylord for 10 packages of labels and 110 special binders as requested by the City Librarian for use at the Central Library.
5. \$3030.30 to Motorola Communications & Electronics for 78 Motorola channel crystal elements as requested by the Police Department to equip existing Police radios.

B. SPECIAL ITEMS:

6. \$670.59 to Campbell & Hall, c/o Harry R. Wilson, for 97 adult and 10 juvenile books.

33. JUMP TOWER EXHIBIT FOR ARMED FORCES DAY.RECOMMENDATION OF CITY ATTORNEY:

That Council authorize the erection of the jump tower exhibit for Armed Forces Day. **See below.

34. CLAIM of Rolling Hills Plaza Company 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 recommendations on agenda items #32, 33, and #34. The motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable. (Councilmen Brewster, Uerkwitz absent).

ADDENDA ITEMS:35. PROCLAMATION - "GOOD POSTURE MONTH" - MAY, 1971.

So proclaimed by Mayor Miller.

- **33. It was noted by Water System Manager Borgwat that there is a possibility that a "hold harmless" letter will be required, and requested that this be included in the motion for approval of item #33. Councilman Sciarrotta so agreed, as did Councilman Wilson who seconded the motion, and there were no objections.

36. ATTENDANCE AT TRAINING COURSE FOR PROSECUTING ATTORNEYS.RECOMMENDATION OF CITY ATTORNEY:

That Council authorize Owen Petersen to attend the subject class and transfer \$600 from the City Attorney's Professional and Technical Services budget to the Educational and Training Schools Account.

There was discussion of the request by the Council. Councilman Surber was of the opinion that there are appropriate schools in this area; further, there is no guarantee that Mr. Petersen would stay with the City on his return, noting that the Deputy Attorney turn-over is somewhat constant.

Mayor Miller expressed his previously voiced objections to the last-minute presentation of such requests, minus any back-up material, and deemed it an unfair tactic; the Mayor will vote "no", and will continue to do so until there is sufficient time and information to appraise these situations.

stated by

It was Councilman Johnson that this type program in the future be fitted into the regular employee programs of this nature whereby

the City is reimbursed in the event the employee leaves -- Mr. Johnson would approve of sending employees to these courses, but with the above understanding re: reimbursement. An updating of this ordinance was also recommended by Councilman Johnson.

It was the recommendation of Councilman Wilson that anticipated conferences be submitted at budget time by the departments for advance approval.

Councilman Sciarrotta expressed concurrence with the opinion that there should be some assurance that the employee will remain with the City, for at least one year, or at least some type of reimbursement arrangement.

MOTION: Councilman Johnson moved to DENY the subject request, with an instruction to the City Attorney to return with a revision to the ordinance. The motion was seconded by Mayor Miller, with the comment that this is no reflection on Mr. Petersen, but there is a need to establish some rules.

Roll call vote to deny the request was unanimously favorable. (Absent: Councilmen Brewster, Uerkwitz).

37. AINSWORTH AVENUE - POWER POLES.

Heard earlier in the meeting.

ORAL COMMUNICATIONS:

38. City Attorney Remelmeyer distributed copies of the resolution regarding Council opposition to the construction of Federally assisted low-income housing, prepared at the request of Councilman Surber.

It was the recommendation of Councilman Johnson that, in view of the public hearing scheduled for May 25th and a full Staff presentation, action on this resolution be held until after that date. Concurrence was expressed by Mayor Miller who added that any action at this time would prejudge the hearing.

Councilman Surber stated that he wanted to vote on the resolution at this meeting, and ^{that} was his reason for wanting it back in one week. Mr. Surber then MOVED that the Council adopt the resolution; the motion died for lack of a second.

Mrs. Mary Surber spoke at this time, pointing out the action taken at last week's Council meeting when the request for the resolution was made, and the fact that no one asked that it be held for the public hearing at that time.

Discussion followed regarding the prejudging aspects of this matter -- Councilman Surber dissenting, with the comment that the minds of the Councilmen are pretty well made up right now -- further, that there has not been time to read the resolution and that it should be incorporated in the May 25th Council agenda.

Miss Joy Shaw requested that the resolution be read aloud. Councilman Johnson reiterated that nothing is being refused; it is simply that this is not the proper time to hear this resolution in that a public hearing has been called. A copy was furnished Miss Shaw.

It was again questioned by Councilman Surber as to why all this was not brought out last week. City Attorney Remelmeyer described the difficulties of manufacturing resolutions in one week, it being virtually impossible to incorporate one with the regular Friday agenda material -- the normal procedure being "one week takes two"....

Mayor Miller discussed the importance of the Council, as representatives of the people, being well read and thoroughly informed on matters on which they vote -- action will be taken on this matter but a rational approach is desired.

Next discussed was the reference to "public hearing" on May 25th, with clarification by City Attorney Remelmeyer that this will be an informal public hearing (a formal public hearing has rigid statutory requirements). It was understood that the public would be invited to speak at this meeting. City Manager Ferraro further advised that extra copies of the City Attorney's Opinion and the Administrative Analysis will be run and furnished interested parties in advance of the meeting.

39. Councilman Sciarrotta requested that City Attorney Remelmeyer research the possibilities of getting the City Housing Code back.

40. Mayor Miller referred to the report from the District Engineer, Division of Highways, regarding the status of the 107 Freeway -- an Information Only item on the March 2nd Council agenda -- that agenda item indicated that the Orange or Red Line was being dropped due to the lack of community support, and that the State Division of Highways was continuing to work closely with a sub-committee of the Intercity Highway Committee. The communication further stated, according to Mayor Miller, that the State Division of Highways was evaluating the feasibility of other variations to some of their original freeway alternatives; lastly, the communication indicated that the State was going to develop additional traffic data regarding major surface streets in order to help the various communities make a decision regarding the route locations.

It was further noted by the Mayor that the Council representative on the Intercity Highway Committee is Councilman Brewster.

In conclusion, Mayor Miller returned to the contents of the subject communication which also stated that it is now the job of the Intercity Highway subcommittee to make an evaluation and recommendation in this matter so that it may be discussed by each of the cities along the proposed routes. To obtain a consensus of this Division of Highways proposal to the Intercity Highway Committee, an attempt has been made to brief individual Councilmen regarding their proposal, the Mayor continued, noting that all the present Councilmen were not on the Council and did not participate in the original public hearings on the freeway, and all have been individually briefed regarding this new alternative proposal.

It was further stated by Mayor Miller that a summary of the above briefings, along with Staff input, indicated the following:

1. That the freeway variations being advocated by the State Division of Highways merits our community's consideration;

2. That in order for the City to formally undertake an evaluation of this alternate route, it will be necessary for the Division of Highways to formally file the alternative variations with the Council so that the proper evaluation and public hearing can be arranged and scheduled at the earliest possible time;

3. At the time of the above mentioned public hearing, if and when the above subject hearing is scheduled, it will be incumbent upon the City Council to decide whether they wish (a) a reaffirmed Red/Red Route, (b) make a decision as to whether there should be no freeway at all, or (c) whether or not the current alternative under consideration by the Division of Highways is in the best interest of our community in helping in the movement of traffic, people, and goods.

Mayor Miller requested that any homeowner groups, or others, wishing information regarding this matter contact the City Manager or the City Traffic Engineer -- any information presently available to the Council is available to the public as well, it need merely be requested.

41. Councilman Wilson reported on the Park, Recreation, and Community Development Committee meeting of May 10th, as well as the meeting of the Goals Steering Committee, it being decided by the Goals Committee that there should be the following procedure in further development of the Goals Program:

1. That the tentative goals now be submitted to the various Commissions, with the Staff person assigned to that Commission to make a study and recommendation to each Commission;

2. After this has been accomplished (some 30 to 60 days) it would return to the Steering Committee to hold workshop sessions on the goals as returned to them for further refinement -- they would then be submitted to the Planning Commission for public hearings, with Planning Commission recommendation to the City Council for final approval or denial of the goals program.

42. Committee consideration of the Quimby Bill was also noted by Councilman Wilson -- two ordinances are presently being considered, one developed by Staff and the other by the opponents of the bill; following Staff study a recommendation will be made to the Council as a whole.

The date of May 17th at 7:00 P.M. was the date set for the next Park, Recreation and Community Development Committee.

43. Mr. Bob Mason, 5414 Carmelynn, reported the need for a stop sign on Del Amo Boulevard between Anza and Prospect, this area being a "drag strip" -- further, there is a need for protection at the school crosswalk at Entradero and Del Amo.

Chief Nash indicated that he would check this matter out. Councilman Sciarrotta MOVED that these problems be assigned to the Traffic Commission; the motion was seconded by Councilman Johnson, and there were no objections.

Mr. Mason also reported on erosion problems at the back of his property --City Manager Ferraro will investigate, and report back to the Council.

44. Mrs. Diane Davis requested that the City subpoena a report from the APCD pertaining to a soil sample and a written report thereon. Mayor Miller directed Mrs. Davis to get with the City Attorney so that he may review this request and report back to the Council.

Reviewed as well was the possible need for a soil sample in the area of interest to Mrs. Davis, and it was requested that Water System Manager Borgwat bring back a report on this procedure.

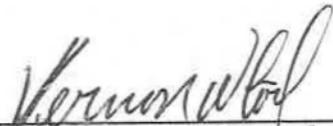
45. Mr. Bob Philpott, 2062 233rd Street, inquired as to how soon a new public hearing on the freeway issue could be held. Mayor Miller pointed out the need for State recommendations prior to scheduling a hearing, and there is no way of knowing when this may happen. The Mayor suggested that Mr. Philpott avail himself of the information to date on the freeway.

It was the suggestion of City Manager Ferraro that arrangements be made for homeowner representatives to meet at one time in the Council Chambers so that a Staff presentation might be made.

Mrs. Meri Jo McMullen requested that a similar presentation be made to the Traffic Commission. City Manager Ferraro described the need for a decision by the State Division of Highways as to how to proceed -- a variation is now apparently desired and that what is now pending, hence the new public hearings, and the need for specific information from the State.

The meeting was regularly adjourned at 11:15 P.M.

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

APPROVED:


Mayor of the City of Torrance

Ava Cripe
Minute Secretary

18. City Council
May 11, 1971