

I N D E XCity Council - September 7, 1971

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Adjourned at 8:10 P.M.

* * * * *

Ava Cripe
Minute Secretary

ii.

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September 7, 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, September 7, 1971, at 5:30 P.M. in the Council Chambers at Torrance City Hall.

2. ROLL CALL:

Present were Councilmen Brewster, Johnson, Surber, Uerkwitz, Wilson, and Mayor Miller. Absent: Councilman Sciarrotta (vacation).

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

3. FLAG SALUTE:

Members of Junior Troup #918 led in the salute to the flag.

4. INVOCATION:

Reverend Lloyd Newlin, First Baptist Church, gave the invocation for the meeting.

STANDARD MOTIONS:

5. APPROVAL OF MINUTES:

Councilman Uerkwitz moved that the minutes of August 24, 1971 be approved as recorded. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable (Councilman Sciarrotta absent).

(Note: Typographical error, Page 2, Item #12, should read ZC 71-15, instead of ZC 71-51.)

6. APPROVAL OF DEMANDS:

Councilman Johnson moved that all regularly audited demands be paid. His motion, seconded by Councilman Wilson, was unanimously approved by roll call vote. (Councilman Sciarrotta absent).

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 Brewster, and roll call vote was unanimously favorable (Councilman Sciarrotta absent).

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8. COUNCIL COMMITTEE MEETINGS:

No reports.

PRESENTATIONS:

9. PRESENTATION OF TILE PLAQUE to Ken Keller, recipient of the Volunteer Bureau Service Award.

The achievements of Ken Keller were enumerated by Sr. Recreation Supervisor Edith Simpelaar, with appropriate congratulations conveyed to Ken by both Miss Simpelaar and Mayor Miller.

PLANNING AND ZONING MATTERS:

10. ORDINANCE creating a Limited Professional Office District (L-P Zone).

Noted by Councilman Brewster was Section 91.12.6 REAR YARD who expressed his concern that no minimum rear yard depth is required, for the reason that it will only lead to problems. It would be Mr. Brewster's preference that there be a rear yard requirement and then waive it for appropriate situations.

Councilman Johnson also noted that the Council had approved a formula which would generate an automatic rear yard setback for all commercial buildings. Councilman Brewster recommended that it then be stated that such a formula would apply.

It was agreed that the ordinance be so rewritten; Councilman Uerkwitz moved to hold the subject item for one week. The motion was seconded by Councilman Johnson; there were no objections, and it was so ordered.

11. PETITION FROM RESIDENTS on Vista Largo protesting approval of WAIVER 71-38 by the Planning Commission on August 4, 1971, on property located on the north side of Vista Montana in the 4300 block.

Planning Director Shartle outlined the background history of this matter, and, at Mayor Miller's request for a legal ruling, City Attorney Remelmeyer stated that the Council has no jurisdiction where the appeal is concerned in that the two week appeal period for the waiver has expired.

It was stated by Councilman Brewster that it would appear that what is at issue is not really the thing that has been appealed, namely, the waiver of a front yard setback -- at issue is the siting of the house on the property; should it face Montana or should it face Vista Largo? -- should driveways be allowed on Vista Montana? The answer in this case, Mr. Brewster continued, will have bearing on the four lots to the west -- a building moratorium on these properties might be appropriate, until the matter is resolved.

It was the opinion of Planning Director Shartle that the City has no jurisdiction over siting except in circumstances where there are through lots facing upon a local street and a major or secondary thoroughfare -- in those cases the Code maintains that the front of the lot is the local street frontage and there may not be vehicular access to the major thoroughfare. Mr. Shartle pointed out that Vista Montana is not designated on the Master Plan of Streets and Highways as either a secondary or major thoroughfare.

Notification procedures were reviewed, it being the comment of City Attorney Remelmeyer that there is no requirement that the adjacent property owner must consent, and, generally speaking, the law does not favor the Council or Planning Commission making decisions based on the consent of the property owners affected -- the theory of the law is that the Council or the Commission will exercise its own independent judgment regardless of the desires of the neighbors. The failure of the property owner in this case to obtain consent of the adjacent property owners, although perhaps a rule of procedure, would not be fatal to the granting of the waiver.

Councilman Surber was of the opinion that more people should have been contacted in this case, in view of the effect of the rear of a house facing Vista Largo residents.

It was the comment of Councilman Uerkwitz that there is an obvious problem in determining the legality of the appeal, and a need for exploration of the situation -- it might be wise to declare a moratorium until there can be proper research. It was confirmed at this point that no building permit has been issued. City Attorney Remelmeyer questioned that a moratorium could be declared on the property per se, but such a moratorium might be declared on property similarly situated with referral to the Planning Commission for study.

Mayor Miller invited the proponent and those present on this matter to speak at this time.

Representing the proponent, Mr. Larry Harris, Mr. Mel Bernstein, 18010 South Crenshaw, first pointed out the large number of hillside homes in this area built by Mr. Harris, and then described the proposed use of the subject lot which is typical of the development in this area.

At Councilman Wilson's question as to possible alternatives for developing the property, other than having the subject Waiver, Mr. Bernstein indicated that there was "no way at all" and that the Waiver was sought in order to keep the house closer to Vista Montana and will result in a better designed house. It was the comment of Councilman Brewster that an alternative would be to build the house to face Vista Largo.

It was added by Mr. Bernstein that the Waiver was approved on August 4th and, on that basis, a full set of plans were prepared which represents considerable expense. The draftsman, Mr. Harry Mizell, 2318 West 247th, Lomita, confirmed these efforts.

Councilman Brewster reiterated that even if this particular lot were to have the building resited and moved down to face Vista Largo, there remains a problem in the area -- that problem is the

4 lots remaining which face Vista Montana minus access to Vista Largo and how are they to be developed? A moratorium is justified, in Mr. Brewster's opinion. There is further concern for Mr. Brewster regarding the traffic problems on Vista Montana.

Deferment of this matter, rather than declaring a moratorium, was recommended by Mayor Miller in order that there might be additional information relative to the layout of the balance of the land, if Mr. Bernstein would stipulate to such deferment -- a time period of 30 days was suggested by the Mayor. Mr. Bernstein pointed out the financial hardship represented by such delays, as well as problems of weather, but stipulated agreement with the 30-day deferment and indicated that he would not apply for a building permit during that period.

It was the further recommendation of Mayor Miller that, in the meantime, Mr. Bernstein meet with the property owners in an attempt to work out an acceptable plan.

MOTION: Councilman Uerkwitz moved that this matter be postponed for 30 days, with the stipulation that there will be no building within that period. The motion was seconded by Councilman Johnson.

Mr. Bernstein again so stipulated.

It was clarified that the entire Vista Montana/Vista Largo area is to be reviewed; City Attorney Remelmeyer noted that the "no building" stipulation is applicable only to the lots owned by Mr. Bernstein.

Prior to taking roll call vote on the motion, Mayor Miller invited those present on this matter to speak at this time.

Mr. Jerome Galuhn, 4309 Vista Largo, stated that the homeowners in this area are not solely concerned with just the planned development but with the entire area -- the basis of the appeal is a matter of record before the Council, and it was thought that perhaps the procedural requirements had not exactly been met; because of those departures from procedures, there might be a technicality on which this matter might be reopened. City Attorney Remelmeyer repeated his ruling -- there is no jurisdiction of the Council over the appeal.

Continuing, Mr. Galuhn reviewed the notification procedure, and expressed his preference for a moratorium to properly review the overall problem.

Next to speak was Mr. Bob Bebber, 4319 Vista Largo, who pointed out the need for concern regarding the general welfare and safety of Vista Largo residents, and provided the Council with written material on the Palos Verdes earthquake fault line paralleling Pacific Coast Highway within two or three blocks of the proposed development -- also provided was information on soil conditions, and a projected assessment of what might happen if the fault moves.

Mr. Warren Bailey, 4502 Vista Largo, stated that building in the City should be in relationship to growth and traffic problems, with considerable traffic, both present and future, in this area. In the

case of the proposed house, the car will barely be able to get into the garage, and it will be impossible to accomodate the mailman, guests, etc. without interfering with the traffic on Vista Montana -- all adding to the congestion of the City; the overall planning of the City should be taken into consideration regarding waivers.

Mr. Paul McAfee, 4526 Vista Largo, commented on the fact that residents depend upon the Planning Commission to protect the homeowners of Torrance from development which will depreciate their properties, or bring danger, or create severe traffic problems -- and when a setback is requested and only one of three property owners (also owner of undeveloped property in the area) is notified, it would seem that the Planning Commission is not doing what it is designed to do. It was his request that the City Council try to develop something to compensate for this inability of the Commission to take care of these problems, the subject situation having a "bit of an odor."

Mrs. Pat Miya, 4512 Vista Largo, pointed out that there are natural springs all along this hillside area; these springs are uncontrolled, and building could prove dangerous.

Roll call vote on Councilman Uerkwitz' motion for a 30-day postponment was unanimously favorable (Absent: Councilman Sciarrotta).

Further action was taken in a MOTION by Councilman Johnson: That, commencing immediately, as a matter of priority, the Planning Department and Planning Commission study all future hillside development in the City of Torrance and the ramifications thereof. The motion was seconded by Councilman Uerkwitz, and roll call vote was unanimously favorable (Absent: Councilman Sciarrotta).

It was the recommendation of Councilman Brewster, concurred in by the Council, that the Traffic Commission reconsider the status of Vista Montana in its new circumstances, to determine whether or not it is properly classified -- such report, hopefully, to be returned in the 30 day period.

Councilman Surber, as recommended by the Riviera Homeowners Association in their September 2nd communication, MOVED that an emergency ordinance be prepared and passed forthwith to the effect that when there is an established pattern for placement of residences, the same be maintained.

It was the comment of Councilman Surber that the placement pattern appears to be part of the overall problem, and the request appears to be a reasonable one.

Discussion followed on this aspect of the consideration, it being pointed out by Planning Director Shartle that although the houses are not yet built, there are lots facing Vista Montana. It was the consensus that this would be covered in the general study, and the MOTION DIED for lack of a second.

Councilman Brewster indicated his assumption that the study will include a dissertation by the City Attorney with regard to the liabilities of the City in hillside areas where the City has issued a building

permit although the builder has met all the required State and local codes.

Councilman Surber recommended that the notification procedure be expanded so that there would not be a shadow of a doubt as to the propriety of the request -- a recent situation involving the Delthorne area and the 300 ft. requirement was similarly unfortunate -- more vitally concerned people should be involved.

Mayor Miller announced that this item would be returned in 30 days, and expressed appreciation for the large audience in attendance, with the request that homeowner representatives be notified when this next appears on the agenda. Appreciation for the Council's consideration was expressed by Mr. Harold Whitney, 4426 Vista Largo, on behalf of the property owners.

REAL PROPERTY:

12. RESOLUTION re: Amendment to Aero Care, Inc. Lease.

RESOLUTION NO. 71-186

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING THE EXECUTION OF THE FIFTH AMENDMENT TO THAT CERTAIN AIRPORT LEASE BETWEEN THE CITY OF TORRANCE AND AERO CARE, INCORPORATED DATED SEPTEMBER 30, 1959, AS AMENDED AND A MOBILE FUELING AGREEMENT BETWEEN THE CITY OF TORRANCE AND AERO CARE, INCORPORATED, AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST SAID FIFTH AMENDMENT AND MOBILE FUELING AGREEMENT.

Councilman Surber moved for the adoption of Resolution No. 71-186. His motion, seconded by Councilman Uerkwitz, was unanimously approved by roll call vote (Councilman Sciarrotta absent).

13. 3 RESOLUTIONS - EXTENSION OF MARICOPA STREET TO AMIE AVENUE.

RESOLUTION NO. 71-187

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE DIRECTING THE CITY ENGINEER TO PREPARE CONSTRUCTION PLANS, SPECIFICATIONS, A DETAILED COST ESTIMATE OF THE IMPROVEMENTS AND ALL INCIDENTAL EXPENSES AND THE ASSESSMENT DISTRICT MAP IN CONNECTION WITH THE FORMATION OF A PROPOSED ASSESSMENT DISTRICT.

(Maricopa Street Assessment District
No. A'11'70-2)

Councilman Wilson moved for the adoption of Resolution No. 71-187. His motion was seconded by Councilman Surber, and roll call vote was unanimously favorable (Councilman Sciarrotta absent).

RESOLUTION NO. 71-188

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 CONTRACT BETWEEN THE CITY OF TORRANCE AND LAURENCE J. THOMPSON.
(Maricopa Street Assessment District
No. A'11'70-2)

Councilman Brewster moved for the adoption of Resolution No. 71-188; his motion was seconded by Councilman Johnson, and roll call vote was unanimously favorable (Councilman Sciarrotta absent).

RESOLUTION NO. 71-189

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE FINDING AND DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE THE ACQUISITION BY THE CITY OF TORRANCE OF THE FEE SIMPLE TITLE IN AND TO CERTAIN REAL PROPERTY IN SAID CITY FOR ANY PUBLIC USES AND PURPOSES AUTHORIZED BY LAW AND FOR USE FOR AND IN CONNECTION WITH PUBLIC STREET PURPOSES; AND DIRECTING THE CITY ATTORNEY TO BRING AND PROSECUTE AN ACTION IN THE SUPERIOR COURT FOR THE CONDEMNATION THEREOF.
(Maricopa Street Assessment District
No. A-11'70-2)

Councilman Surber moved for the adoption of Resolution No. 71-189. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable (Absent: Councilman Sciarrotta).

TRAFFIC AND LIGHTING:14. GOLDEN SHOE RESTAURANT - ACCESS FROM SEPULVEDA BLVD.RECOMMENDATION OF CITY TRAFFIC ENGINEER:

The Traffic and Lighting Department concur with the recommendations made by the Traffic Commission to wit: That Sepulveda Boulevard in proximity to the Golden Shoe Restaurant be restriped to allow left turn access to the restaurant (per Traffic and Lighting Department EXHIBIT "A"), and that the Golden Shoe Restaurant pay for the required sandblasting; also that nothing be done at this time regarding the cul-de-sacing of Ward Street.

MOTION: Councilman Johnson moved to concur with the above recommendations of the City Traffic Engineer. His motion was seconded by Councilman Surber, and roll call vote was unanimously favorable (Councilman Sciarrotta absent).

- 15. AGREEMENT WITH SOUTHERN PACIFIC TRANSPORTATION COMPANY -
Upgrading of railroad crossing protection.

RESOLUTION NO. 71-190

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING THE MAYOR AND THE CITY CLERK TO EXECUTE AND ATTEST THAT CERTAIN AGREEMENT BY AND BETWEEN THE CITY OF TORRANCE AND THE SOUTHERN PACIFIC TRANSPORTATION COMPANY FOR THE INSTALLATION OF AUTOMATIC PROTECTION AT THE CARSON STREET CROSSING OF THE SOUTHERN PACIFIC TRACKS, DESIGNATED BY THE CALIFORNIA PUBLIC UTILITIES COMMISSION AS CROSSING NO. BBG-501.06.

Councilman Uerkwitz moved for the adoption of Resolution No. 71-190. His motion, seconded by Councilman Wilson, was unanimously approved by roll call vote (Councilman Sciarrotta absent).

MOTION: Councilman Uerkwitz moved to approve the appropriation of \$10,000 from 2106 Gas Tax Funds for City's estimated share of cost in the subject installation. The motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable (Councilman Sciarrotta absent).

FISCAL MATTERS:

- 16. NOTICE OF COMPLETION - FURNISHINGS CONTRACT.

RECOMMENDATION OF CITY LIBRARIAN:

- 1. That the furnishings be accepted;
- 2. That payment in full be made to the vendor, Carl R. Anderson and Company.

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

- 17. CONTRACT WITH EL CAMINO COLLEGE - BUS TRANSPORTATION FOR FIELD TRIPS.

RECOMMENDATION OF TRANSIT OPERATIONS SUPERVISOR:

That the contract with El Camino College to furnish bus transportation for field trips for 1971-72 be renewed.

MOTION: Councilman Surber moved to concur with the above recommendation of the Transit Operations Supervisor. The motion, seconded by Mayor Miller, was unanimously approved by roll call vote.

ITEMS NOT OTHERWISE CLASSIFIED:

18. REQUEST OF MR. FRANK REBOLLO TO CONDUCT BLOOD PRESSURE TESTS ON CITY PROPERTY.

MOTION: Councilman Brewster moved to DENY the subject request. The motion was seconded by Councilman Uerkwitz, and roll call vote was unanimously favorable (Councilman Sciarrotta absent).

PERSONNEL MATTERS:

19. ORDINANCE extending life of the Torrance Police Officers Association Ordinance.

ORDINANCE NO. 2278

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE EXTENDING THE LIFE OF PART VIII OF CHAPTER 7, DIVISION 1 OF THE TORRANCE MUNICIPAL CODE.

Councilman Uerkwitz moved for the approval of Ordinance No. 2278 at its first reading. His motion was seconded by Councilman Surber, and roll call vote was unanimously favorable (Councilman Sciarrotta absent).

* * * *

SECOND READING ORDINANCES:20. ORDINANCE NO. 2272 - EAST VICTOR PRECINCT.

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

ORDINANCE NO. 2272

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING DIVISION 9 OF THE TORRANCE MUNICIPAL CODE RECLASSIFYING THAT CERTAIN PROPERTY IN THE EAST VICTOR PRECINCT, DESCRIBED HEREIN.

(TORRANCE PLANNING COMMISSION ZONING CASE NO. 71-15)

Mayor Miller then invited comments, prior to taking action on the above.

The attorney representing Larwin Company, Mr. Glen R. Watson, 615 South Flower Street, Los Angeles, reiterated previously expressed concerns regarding his client's property in the subject area, and pointed out that one of the proposed projects of the adjacent school will incorporate some 5 acres of recreational area which will contain no structures or permanent improvements. Mr. Watson then noted that the Council previously recognized that some of the properties in the East Victor Precinct may be deserving of special consideration, and recommended Council Committee review. It was added by Mr. Watson that the ordinance, if not voted down, would remain in the same posture for another week or two, as between the first and second readings, with the moratorium still in effect. This was confirmed by City Attorney Remelmeyer.

The chairman of the school board for South Bay Junior Academy, Mr. Lee Lewis, 21610 Ladeene Avenue, stated that the school's development plan has been in progress approximately two years, and the proposed rezoning would represent a loss of some \$175,000 to the school. The Spencer Street frontage, according to Mr. Lewis, was purchased by the school with the understanding that the Larwin Company's R-3 development would be a reality; further, the property facing Spencer Street would be open land and provide recreational facilities for the school. It was the request of Mr. Lewis that the Council give serious consideration to the problems that would be presented to the school were the subject land rezoned.

Mr. Bob Stark, 4723 Asteria, reported on the overall anti-R3 feeling on the part of residents, Planning professionals, etc. -- only a handful of people, who will personally benefit, desire R-3 -- the issue should be clear to this Council, the elected representatives of the City.

The previous findings of the Victor Homeowners Association were restated by Dr. Howard Laitin, 4916 White Court, who asked that the Council take into consideration the quality of life, the economics, the legal and moral aspect to the whole community; the Council's decision will be with the City for decades.

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Mr. Ben Kaufman, 429 Calle Mayor, discussed the matter of density, and the absence of any standard measurement for same, and cited the benefits to the City of Torrance because of density -- the libraries, the fine schools, the good streets, the excellent Recreation Department, etc. Mr. Kaufman also elaborated on the undesirability of M-L zoning, and noted the past recommendations of the Planning Department for R-5 zoning -- there is a serious need for professional assistance regarding this area, in his opinion.

Representing the Jones-Miletich Company, Mr. E. Arnold Oppenheim confirmed that their proposed development could proceed as soon as certain structural corrections were made on their plans.

Mr. Al Gordon, 21814 Denker, speaking in behalf of the South Bay Junior Academy on Del Amo Boulevard, as a Board member, pointed out the value of the Academy's educational program to the community, and urged that the R-3 zoning be retained in that a manufacturing community would be incompatible with existing development.

Next speaking for the South Bay Junior Academy was Mr. Donald Hyatt, 2119 Grant Avenue, Redondo Beach, who pointed out that the Academy is a private non-profit institution primarily dedicated to the education of minds for the betterment of the community, and noted that industrial development, in many cases, results in land pollution that is usually replaced by residential development in any event. It was the further comment of Mr. Hyatt that rezoning would result in declining property values and could ultimately mean the loss of the school.

Comments from the Council were invited at this time by Mayor Miller.

Councilman Uerkwitz stated that he would be opposed to the second reading of the ordinance for the reason that he strongly feels that a Council Committee should review the many problems introduced, apart from increasing density, and instances of possible inequities -- such problems can never be resolved by a blanket rezoning or an overall M-L zone. Mr. Uerkwitz stated that his concern is only for those parcels of land that might be downgraded -- not the present M-1 land; hence his opposition to the subject ordinance.

City Attorney Remelmeyer advised that it would be possible to refer this matter to a Council Committee at this time; it is not mandatory that the second reading take place now. Councilman Wilson expressed his concern over the fact that this very important issue has been heard by only 5 Councilmen, and suggested that it might be wise to hold this until it can be heard by a full Council.

It was the comment of City Attorney Remelmeyer that the ruling that a Councilman who had not participated in the hearing not be allowed to vote, while a conservative one, is a wise one. Referral to a Council Committee would not revise the voting recommendation -- to include Councilmen Sciarrotta and Surber would necessitate new hearings, according to Mr. Remelmeyer.

Councilman Brewster noted that the plea of the Academy and the Larwin Company is that there is sufficient uniqueness about that particular piece of property to warrant separate treatment without destroying the blanket zoning and reopening all the properties -- Mr. Brewster's concern would be that that is not so, and were special treatment given, the remaining currently zoned R-3 would find relief from the course and proceed with their high density developments. If nothing is to be lost, Councilman Brewster added, by simply delaying the second reading, he would be willing to permit the necessary time for the City Attorney's opinion -- otherwise he would be agreeable, without committing himself to any change of mind, to permitting such input, as opposed to reconsideration of the entire matter.

City Attorney Remelmeyer confirmed, at Mayor Miller's question, that the moratorium would remain in effect so long as it did not exceed 90 days from its inception, and a delay of the second reading would pose no problems.

There is sufficient reason for delay, in the opinion of Councilman Wilson, to permit Council Committee review, and the following action resulted:

MOTION: Councilman Wilson moved that an ad hoc Council Committee be established to make overall recommendations re: the East Victor Precinct moratorium area as well as any possible exceptions, and to obtain the City Attorney's ruling on such exceptions, with this matter to be returned in a 30-day period. The motion was seconded by Councilman Uerkwitz.

Prior to roll call vote, and at the request of Councilman Brewster, there was clarification by City Attorney Remelmeyer as to the merits of such action, it being stated by him that the Council may establish any rational zoning on any particular piece of property, with any reasonable zoning pattern desired by the Council; the courts allow a great deal of latitude within reasonable frameworks. It was the comment of Councilman Brewster that the proposed action would reopen the entire Victor Precinct matter.

The motion ultimately carried, as follows:

- (1) AYES: COUNCILMEN: Uerkwitz, Wilson.
 NOES: COUNCILMEN: Brewster, Johnson, Surber; Mayor Miller.
 ABSENT: COUNCILMEN: Sciarrotta.

It was the comment of Councilman Johnson that his "no" vote was for the reason that this case ultimately will be decided in the courts.

Following discussion, Mayor Miller indicated that he would change his vote to "yes" -- a tie vote resulted, with the motion not yet carrying. Councilman Surber thereupon changed his vote to "yes", with the motion carrying, 4-2:

- (2) AYES: COUNCILMEN: Surber, Uerkwitz, Wilson; Mayor Miller.
 NOES: COUNCILMEN: Brewster, Johnson.
 ABSENT: COUNCILMEN: Sciarrotta.

Mayor Miller appointed the following to serve on the Ad Hoc Committee: Councilmen Brewster (Chairman); Uerkwitz; and Wilson.

* * * *

The hour being 7:40 P.M. Councilman Johnson moved to recess as City Council and reconvene as the Redevelopment Agency. His motion was seconded by Councilman Uerkwitz, and roll call vote was unanimously favorable (Absent: Councilman Sciarrotta).

A 10-minute recess followed at 7:41 P.M.

* * * *

SECOND READING ORDINANCES:

21. ORDINANCE NO. 2276.

ORDINANCE NO. 2276

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING THE TORRANCE MUNICIPAL CODE SECTIONS 93.6.2 AND 93.6.4 TO INCREASE THE REQUIRED LANDSCAPING FOR PARKING LOTS.

Councilman Uerkwitz moved for the adoption of Ordinance No. 2276 at its second and final reading. His motion was seconded by Councilman Johnson, and roll call vote was unanimously favorable (Absent: Councilman Sciarrotta).

22. ORDINANCE NO. 2277.

ORDINANCE NO. 2277

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE REPEALING SECTION 88.6.5 AND SECTION 88.6.6 OF ARTICLE 6, CHAPTER 8 OF DIVISION 8 OF THE TORRANCE MUNICIPAL CODE AND ENACTING NEW SECTIONS 88.6.5 AND 88.6.6 OF SAID CODE REGULATING THE PLACEMENT OF FLAGS AND REAL ESTATE SIGNS.

Councilman Johnson moved for the adoption of Ordinance No. 2277 at its second and final reading. His motion, seconded by Councilman Wilson, was unanimously approved by roll call vote (Absent: Councilman Sciarrotta).

NONCONTROVERSIAL ITEMS:

23. EXPENDITURES OVER \$300:

RECOMMENDATION OF FINANCE DIRECTOR:

That Council approve the following purchases:

1. \$329.81 to Blue Diamond, Division of Flintkote, for 90 tons of #2 crushed rock as requested by the Park Department for use at Walteria Park at a drain located around the game courts.

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2. \$409.50 to Henry Pratt Company for 2 - 10" water valves as requested by the Water Department for stock.
3. \$725.63 to Western Water Works for 12 each 6"x12½" circle seal pipe clamps as requested by the Water Department.
4. \$1400.00 to Nichols Sheet Metal & Air Conditioning, Inc. for two 30,000 BTU commercial quality window mount air conditioner units installed in the Date Processing equipment room.
5. \$4191.22 to Campbell & Hall for 1,162 juvenile books.
6. \$315.00 to Halprin Supply Company for one 28 ft. extension ladder and one 12-ft. extension ladder as requested by the Fire Department as replacement items.

24. AWARD OF CONTRACT - 6" Water Main in City-owned land from Bindewald Road to Vanderhill Road (B71-37) Job #71120.

RECOMMENDATION OF CITY ENGINEER/WATER SYSTEM MANAGER:

That the contract be awarded to B&E AND ASSOCIATE, JOINT VENTURE, and all other bids be rejected.

(This project is financed by \$6,000, appropriated from the Water Revenue Fund on October 20, 1970.)

25. NOTICE OF COMPLETION - IMPROVEMENT OF CARSON STREET (North Side) FROM FLOWER AVENUE TO 180 FT. EASTERLY (Informal Bid).

RECOMMENDATION OF CITY ENGINEER:

1. That Council accept the work;
2. That final payment be made to the contractor, Vargas Construction and Manufacturing.
3. That excess deposits be refunded to participating property owners; and
4. That \$400 be appropriated from 2106 State Gas Tax Funds to cover costs.

26. REFUND OF FEES - Mr. Don Wilson.

RECOMMENDATION OF BUILDING AND SAFETY DIRECTOR:

That \$360 be refunded to Mr. Don Wilson from the Park and Recreation Tax Fund.

27. TRANSFER OF FUNDS.

RECOMMENDATION OF DIRECTOR OF RECREATION:

That Council approve the transfer of \$545 from the Recreation Department Donation Account to the Senior Citizens Activities Fund at the United California Bank.

28. INSTALLATION OF GUARD RAIL.

RECOMMENDATION OF CITY TRAFFIC ENGINEER:

1. That Council accept the work for the installation of guard rail on the north side of 182nd Street between Glenburn Avenue and E manita Avenue, Job No. 71151.
2. That final payment be made to the contractor.

29. AWARD OF CONTRACT -to Halprin Supply Company - High Pressure Breathing Air System (B71-36)

RECOMMENDATION OF FINANCE DIRECTOR/PURCHASING SUPERVISOR:

That Council accept the low bid for this high pressure air system submitted by Halprin Supply Company and approve of the awarding of a contract to them for this system in the total amount of \$7135.80.

30. AWARD OF DEMOLITION CONTRACT to Hintz Wrecking - "Ali Baba" Restaurant.

RECOMMENDATION OF PURCHASING SUPERVISOR/BUILDING AND SAFETY

DIRECTOR: That Council approve the awarding of this contract for demolishing the "Ali Baba" Restaurant to the low bidder, Hintz, Wrecking, in the total amount of \$1575.00, and appropriate the required funds from Airport Retained Earnings.

31. Considered separately.

32. CLAIM OF ROBERT RANDLE for personal damages.

RECOMMENDATION OF CITY CLERK:

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

33. CLAIM OF TERRY LEE HAWTHORNE for property damages.

RECOMMENDATION OF CITY CLERK:

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

34. CLAIM OF ANN K. MACCARRONE for Property/Personal Damages.

RECOMMENDATION OF CITY CLERK:

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

MOTION: Councilman Uerkwitz moved to concur with the recommendations on agenda items #23, 24, 25, 26, 27, 28, 29, 30, 32, 33, and #34. The motion was seconded by Councilman Brewster, and roll call vote was unanimously favorable (Absent: Councilman Sciarrotta).

31. CLAIM OF DAVID EDWIN GOODALL for personal damages.

It was the recommendation of City Attorney Remelmeyer that the Council deny the claim on the grounds that it was not filed within the 100-day period from the accrual of the cause of action as provided by statute. Councilman Surber so MOVED, and the motion was seconded by Councilman Brewster.

Present on this matter was Attorney William Schultz, on behalf of Mr. Goodall, who stated that the trial was on May 14th, and up until that time they had no knowledge as to whether or not Mr. Goodall was guilty -- on May 20th Mr. Goodall was acquitted -- and Mr. Schultz respectfully submitted that this matter was timely filed.

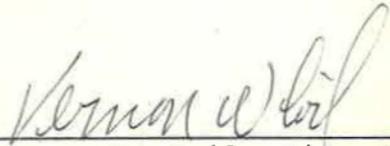
Roll call vote was unanimously favorable on Councilman Surber's motion (Absent: Councilman Sciarrotta).

ORAL COMMUNICATIONS:

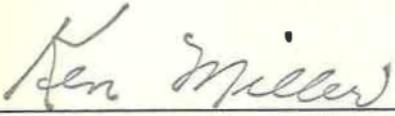
35. It was the request of Councilman Surber--in regard to the FBI investigation of a complaint of racial discrimination being a factor in the opposition of the Federally subsidized low and moderate income housing in Torrance -- that the City Manager request that the FBI advise re: notification of any and all findings, individual charges, etc. regarding the above complaint, and that there be public disclosure by the news media.
36. Councilman Surber noted the recent communication regarding the P.O.S.T payment of \$23,000, reimbursement for school attendance by Police personnel. Police Chief Nash confirmed such payment, and expressed the hope that it will be considerably more next year.
37. A desired meeting with the Park, Recreation, and Community Development Committee and School Board members was reported by Councilman Wilson -- a convenient date will be selected, with a report back to the Council.

The meeting was regularly adjourned at 8:10 P.M.

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



 Mayor of the City of Torrance