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City Council - March 31, 1981

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Ava Cripe  
Minute Secretary

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MINUTES OF A REGULAR MEETING  
OF THE TORRANCE CITY COUNCIL

OPENING CEREMONIES:

1. CALL TO ORDER:

The Torrance City Council convened in a Regular Meeting on Tuesday, March 31, 1981, at 5:30 P.M. in the Council Chambers at Torrance City Hall.

2. ROLL CALL:

Present: Councilmembers Applegate, Geissert, Rossberg, Walker, Wilson and Mayor Armstrong. Councilman Brown arrived at 5:45 P.M. Absent: None.

Also present: City Manager Ferraro and Staff representatives.

3. FLAG SALUTE:

Library Commission Chairman Nancy Stephenson led in the salute to the flag.

4. INVOCATION:

The invocation was provided by Reverend Truman Barrett, First United Methodist Church.

STANDARD MOTIONS:

5. APPROVAL OF MINUTES:

Councilman Applegate moved to approve the minutes of March 3, 1981, as recorded. His motion was seconded by Councilman Walker, and roll call vote was unanimously favorable (Councilman Brown had not yet arrived at the meeting).

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6. MOTION TO WAIVE FURTHER READING:

Councilman Applegate moved that after the City Clerk has assigned 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 Councilmember the right to demand the reading of any such resolution or ordinance in regular order. The motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable (Councilman Brown had not yet arrived at the meeting).

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Mayor Armstrong, with deep regret, announced the passing of Mr. Simon "Sam" Nincevic, father of long time City employee Jan Hoffman. Sincere condolences were extended the family, on behalf of the Council, and it was the direction of Mayor Armstrong that this meeting be adjourned in memory of Mr. Nincevic.

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7. COUNCIL COMMITTEE MEETINGS - Employee Relations, April 9th.

8. COMMUNITY MATTERS:

8a. MISS TORRANCE -1981 - 1980:

Mayor Armstrong lauded the efforts of Charmaine Kaimikaua, Miss Torrance 1980, and wished her every success in the future, followed by the introduction and welcome of Sabrina Ann Gallucci, Miss Torrance 1981.

8b. RESOLUTION proclaiming Miss Torrance as Official Hostess of the City of Torrance.

RESOLUTION NO. 81-42

A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF TORRANCE PROCLAIMING MISS TORRANCE  
AS THE OFFICIAL HOSTESS OF THE CITY OF  
TORRANCE

Councilwoman Geissert moved for the adoption of Resolution No. 81-42. Her motion was seconded by Councilman Rossberg, and roll call vote was unanimously favorable.

8c. PRESENTATION TO TERESA COVEY.

In recognition of her service on the Library Commission from January, 1973 to January, 1981, Mayor Armstrong presented a tile plaque to retiring Commissioner Teresa Covey, with

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the sincere appreciation of the Council for her outstanding community contribution. There was grateful acceptance by Mrs. Covey.

- 8d. PROCLAMATION - "National Library Week" - April 5-11, 1981.
- 8e. PROCLAMATION - "Month of Awareness for Developmentally Disabled Persons" - April, 1981.
- 8f. PROCLAMATION - "Kosher Awareness Week" - April 5-10, 1981.

So proclaimed by Mayor Armstrong.

11. POLICE AND FIRE MATTERS:

- 11a. ORDINANCE adopting the 1979 Uniform Fire Code with amendments.

RECOMMENDATION OF FIRE CHIEF:

That this ordinance be read for the first time tonight (March 31, 1981) and that a public hearing be set for April 21, 1981 which will correspond with the public hearing date for adoption of the uniform construction codes. At the April 21, 1981 meeting this ordinance can be read for the second time, unless it is further amended at the public hearing or is refused adoption by your Honorable Council. The Fire Department will cause a notice of such public hearing to be published twice in the Daily Breeze.

MOTION: Councilman Wilson moved to concur with the above stated recommendation of the Fire Chief. His motion was seconded by Councilman Applegate, and roll call vote was unanimously favorable.

ORDINANCE NO. 3000

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE REPEALING CHAPTER 5 OF DIVISION 8 IN ITS ENTIRETY AND ENACTING A NEW CHAPTER 5 OF DIVISION 8 WHICH ADOPTS BY REFERENCE THE 1979 EDITION OF THE UNIFORM FIRE CODE WITH APPENDIX AS AMENDED, THE 1979 EDITION OF THE UNIFORM FIRE CODE STANDARDS AS AMENDED

Councilman Wilson moved for the approval of Ordinance No. 3000 at its first reading. His motion was seconded by Councilman Applegate; roll call vote was unanimously favorable.

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Considered by the Council at this time, out of order:

14. PERSONNEL MATTERS:

14b. REVISED CLASS SPECIFICATION FOR CUSTOMER SERVICE SUPERVISOR.

RECOMMENDATION OF PERSONNEL SERVICES:

That the City Council adopt the proposed revision to the Customer Service Supervisor class specification.

CIVIL SERVICE NOTE:

The Civil Service Commission has considered the proposed modification to the Customer Service Supervisor class specification and on a split vote has failed to adopt a motion recommending approval. Commissioners Lobb, Thele, and Chairman McGrew voted to concur with the changes as recommended, Commissioners Albright, Oberlander, Rizzardi and Salling voted not to recommend the proposed changes.

The Commissioners voting in opposition based their votes on the following factors:

- 1) The revision eliminates prior supervisory experience from the requirements for a position which involves supervision. They feel it is inappropriate to fill a supervisory position with a person without prior supervisory experience.
- 2) They noted that at a number of recent meetings matters have been brought before them which they felt reflected poor supervisory practices by City personnel. They were concerned that reducing this supervisory requirement would contribute to future problems in this regard.
- 3) There was concern raised that staff appeared to be "tailoring" the class specification for City employees; that the job requirements should be written around the job and not adjusted to accomodate City employees.

Those voting in favor of the change countered the above concerns with the following views:

- 1) Many of the potential applicants among City employees are currently supervisors (although only one has the specific experience of having supervised a meter repair shop as required by the current spec); that, as stated by staff, the examination would stress supervisory abilities, and the proposed change merely allowed competition on a promotional basis, but did not provide anyone an unfair advantage.

- 2) The purpose for the proposed change is to provide promotional opportunities in a department which historically has had few such opportunities and the Department Head has stated a commitment to provide training and support required of any employee promoted.
- 3) The current class specification will only allow one City employee to qualify, the proposed change increases the eligible City employees to at least thirteen.

The Commission will have a member present at the Council meeting to express their position and answer questions your Honorable Body may have.

CIVIL SERVICE COMMISSION RECOMMENDATION

The Civil Service Commission, by majority vote, recommends this proposed class specification not be adopted.

CIVIL SERVICE ADMINISTRATOR RECOMMENDATION

That the class specification be adopted as proposed.

Noted was communication from TPSA, distributed this date, indicating that a salary modification has been made.

Civil Service Commission Chairman McGrew was present to elaborate on the above noted findings of the Commission.

MOTION: Councilman Applegate moved to concur with the recommendation of the Civil Service Administrator and the Minority of the Civil Service Commission. The motion was seconded by Councilman Brown, and carried, with roll call vote as follows:

- AYES: COUNCILMEMBERS: Applegate, Brown, Geissert,  
Walker, Wilson; Mayor Armstrong.
- NOES: COUNCILMEMBERS: Rossberg.

The Council now returned to its regular agenda order:

12. PLANNING AND ZONING MATTERS:

12a. ORDINANCE amending Code re: required parking for office, savings and loan, furniture and major appliance stores.

RECOMMENDATION OF PLANNING COMMISSION/PLANNING STAFF:

That the City Council adopt the subject ordinance to increase parking requirements for savings and loan offices and furniture and major appliance stores.

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Councilman Rossberg indicated that he would like additional information regarding problems created by converting furniture stores, etc. to another use.

City Manager Ferraro noted the need to consider the inclusion of Credit Unions in the definition of Savings and Loans and Banks because of the changing nature of Credit Unions. The Mayor directed that this point be checked out by Staff.

It was the opinion of Councilman Walker that what is proposed is a hasty action; there is a need for additional background information. For this reason, Councilman Walker MOVED to refer Item 12a to the Community Planning and Design Committee. The motion was seconded by Councilman Rossberg.

Councilman Applegate deemed the proposed action reasonable, providing necessary flexibility, and offered a SUBSTITUTE MOTION to concur with the recommendation of the Planning Commission and Planning Staff for adoption of the ordinance. The motion was seconded by Councilman Brown, and carried, with roll call vote as follows:

- AYES: COUNCILMEMBERS: Applegate, Brown, Geissert, Wilson; Mayor Armstrong.
- NOES: COUNCILMEMBERS: Rossberg, Walker.

ORDINANCE NO. 3001

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING THE LAND USE CODE TO PROVIDE FOR INCREASED PARKING FOR OFFICES AND FURNITURE AND APPLIANCE STORES

Councilman Applegate moved for the approval of Ordinance No. 3001 at its first reading. His motion was seconded by Councilman Brown, and carried, with roll call vote as follows:

- AYES: COUNCILMEMBERS: Applegate, Brown, Geissert, Wilson; Mayor Armstrong.
- NOES: COUNCILMEMBERS: Rossberg, Walker.

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12b. LOCAL COASTAL PROGRAM.RECOMMENDATION OF PLANNING DEPARTMENT:

Adoption of the subject resolution. This action would implement Alternative Two - Resubmittal of a conditionally modified Local Coastal Program to the Regional Coastal Commission, including the compromise modifications described in material, of record.

Staff presentation, and desired clarification, were provided by Planning Associate Bihn. Additional input was furnished by City Attorney Remelmeyer.

Council discussion followed. Councilman Rossberg reaffirmed his unwillingness to turn over any of the City's responsibilities to a group of unelected officials not responsive to the City -- "local control" is all-important, in his opinion. It was the recommendation of Mr. Rossberg that the City appeal the Regional Commission's denial to the State Coastal Commission -- if that did not work, then to the State Legislators; failing that, then discontinue the processing of the Local Coastal Plan. City Attorney Remelmeyer pointed out the complications of such tactics. An update on Legislative Advocate Rupert's activities in Sacramento in this regard was requested by Mr. Rossberg.

Concern was expressed by Councilman Applegate that there are different standards for different parts of the City -- further, it appears that much of the modification language now seems, rather than being guidelines for the City, to be mandatory standards. The Council is here to make the decisions, based on individual exceptions required, based on established rules. There is no need to relinquish, in total, the City's control over those things that must be dealt with on an individual basis. Mr. Applegate stated that he would like to take Alternative One and appeal it up the line; there is a lot of support from other cities.

Sooner or later, per Councilman Walker, the State Legislature will "wise up" to the folly of the Coastal Commission. Mr. Walker indicated concurrence with Alternative One.

It was the comment of Councilwoman Geissert that the suggested modifications from the Regional Commission staff are a far cry from the original demands of this Commission -- they are reasonable and modest suggestions. There now appears to be a much better chance of having a plan adopted as modified in this manner than of appealing to the State Commission and expecting to "get a whole loaf." Legislation which may ultimately be passed would likely have retroactive provisions, if the Coastal Commission is taken out of the housing business -- Mrs. Geissert indicated support for Alternative Two.

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Support for Alternative Two was also indicated by Councilman Wilson, this being another step in the appeal process -- the plan could be resubmitted with #2, #3, #4, #5 and #6, and with good justification regarding the non-submittal of #1 at this time. Signs of good faith will afford a better opportunity for acceptance of the plan, per Dr. Wilson.

Councilman Brown indicated that his preference would be to come up with a new recommendation -- which is to resubmit, based on items #2 through #6 -- and to argue, based on the City's history of maintaining stringent approval requirements, and to affirm that guidelines are what the City really wants, with a need for some flexibility but that there will be reasonable administration.

Mayor Armstrong reviewed all the foregoing comments made by Councilmembers, particularly as related to the non-submittal of item #1. The root of it all is local control, per the Mayor, but the fact is the State has passed legislation; the Governor has signed it; it has withstood many significant challenges and modifications; and it is a mandate which has been imposed upon us -- it is now a matter of taking the right step at the right time.

Dr. Robert Mantovani, 411 Camino de Encanto, indicated his agreement that element #1 of Alternative Two should not be submitted. Also noted was the need for clarification pertaining to off-street parking and inclusionary zoning unit requirements.

Formal action taken by the Council is reflected below:  
(RE: ALTERNATIVE TWO)

MOTION: Councilman Brown moved to concur with Element#2, 2b amended to state: "A maximum of 10 on-street parking spaces may be removed for each application made in cases of safety....." The motion was seconded by Councilman Wilson, and carried, with roll call vote as follows:

AYES: COUNCILMEMBERS: Brown, Geissert, Walker,  
Wilson; Mayor Armstrong.  
NOES: COUNCILMEMBERS: Applegate, Rossberg.

MOTION: Councilman Brown moved to concur with Element #3. The motion was seconded by Councilman Wilson, and carried, with roll call vote as follows:

AYES: COUNCILMEMBERS: Brown, Geissert, Walker,  
Wilson; Mayor Armstrong.  
NOES: COUNCILMEMBERS: Applegate, Rossberg.

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MOTION: Councilman Brown moved to concur with Element #4. The motion was seconded by Councilman Wilson; roll call vote was unanimously favorable.

MOTION: Councilman Brown moved to concur with Element #5. The motion was seconded by Councilman Wilson, and carried, with roll call vote as follows:

AYES: COUNCILMEMBERS: Brown, Geissert, Walker,  
Wilson; Mayor Armstrong.  
NOES: COUNCILMEMBERS: Applegate, Rossberg.

MOTION: Councilman Brown moved to concur with Element #6. His motion was seconded by Councilman Wilson; roll call vote was unanimously favorable.

MOTION: Councilman Rossberg moved to eliminate Element #1. His motion, seconded by Councilman Applegate, carried, with roll call vote as follows:

AYES: COUNCILMEMBERS: Applegate, Brown, Rossberg,  
Walker, Wilson.  
NOES: COUNCILMEMBERS: Geissert; Mayor Armstrong (we should  
have all strategic ploys at our  
disposal)

It was the added comment of Councilman Brown that his "yes" vote on the above action is without prejudice for possible future tactics, but, at this juncture, it would be his desire to eliminate same.

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

RESOLUTION NO. 81-43

A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF TORRANCE ADOPTING A REVISED LOCAL  
COASTAL PLAN AND DIRECTING ITS SUBMITTAL  
TO THE CALIFORNIA COASTAL COMMISSION FOR  
CERTIFICATION

Councilman Brown moved for the adoption of Resolution No. 81-43, modifying Section 1 b) and deleting Section 2, of the Resolution, per action taken by the Council. The motion was seconded by Councilman Wilson, and carried, with roll call vote as follows:

AYES: COUNCILMEMBERS: Brown, Geissert, Walker, Wilson,  
Mayor Armstrong.  
NOES: COUNCILMEMBERS: Applegate, Rossberg.

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14. PERSONNEL MATTERS:

- 14a. RESOLUTION re: Contract Amendments with Los Angeles Unified School District, Torrance Unified School District and the State of California Employment Development Department for Fiscal Year 1981.

RESOLUTION NO. 81-44

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST AN AMENDMENT TO THE CONTRACTS BETWEEN THE CITY AND THE LOS ANGELES UNIFIED SCHOOL DISTRICT, THE TORRANCE UNIFIED SCHOOL DISTRICT, AND THE STATE OF CALIFORNIA EMPLOYMENT DEVELOPMENT DEPARTMENT UNDER TITLE II-B OF CETA

Councilman Wilson moved for the adoption of Resolution No. 81-44. His motion was seconded by Councilwoman Geissert, and roll call vote was unanimously favorable.

- 14b. REVISED CLASS SPECIFICATION FOR CUSTOMER SERVICE SUPERVISOR.

See Page 4.

15. HEARINGS:

- 15a. SIGN APPEAL - S81-7, First Interstate Bank, 1403 Sartori Avenue. The Environmental Quality and Energy Conservation Commission, the Building and Safety Department and Redevelopment Agency Staff recommend DENIAL OF THE APPEAL.

Mayor Armstrong announced that this was the time and place for the subject public hearing, and, following Staff presentation by Environmental Quality Administrator McElroy, invited comments.

Abatement procedures were reviewed by the Council, as was the long established tenure of the subject bank at this downtown location. Also reviewed were the merits of a signed agreement by the proponent relative to abatement of the sign.

Representing the proponent, Mr. Ron McKenzie, 3225 Lacy Street, Los Angeles, pointed out that while this branch bank is an established neighborhood business,

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it must also be realized that it is part of a system of statewide branches involved strictly in a name change. Mr. McKenzie then described the proposed new signing, noting the reduction of illumination. At Councilman Rossberg's question as to whether he would be willing to sign a form to abate the sign in five years, Mr. McKenzie gave a negative response, adding that "we would be completely willing to abate that sign in conjunction with the abatement of all other roof signs in the area, per some City ordinance."

Commissioner Sullivan, representing the Environmental Quality and Energy Conservation Commission, reviewed the action of denial of the request by the Commission, of record.

Mr. Jim Hoy, manager of the bank in question, noted his extensive efforts and assistance in the upgrading of Downtown Torrance, and deemed the requested sign imperative for the bank's operation.

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

MOTION: Councilman Brown moved to grant the appeal, subject to the proviso that the applicant agree, to the satisfaction of the City Attorney, that the sign will be abated at such time as there is a general abatement of similar non-conforming roof signs in Downtown Torrance, without compensation. The motion was seconded by Councilman Applegate, and carried, with roll call vote as follows:

AYES: COUNCILMEMBERS: Applegate, Brown, Rossberg,  
Walker, Wilson; Mayor Armstrong.  
NOES: COUNCILMEMBERS: Geissert.

It was the comment of Councilwoman Geissert, regarding her negative vote, that it was for the reason that the sign ordinance is meaningless without some effort of conforming to it; this would be particularly true in the Downtown area where upgrading attempts are underway. Mrs. Geissert added that she can appreciate the hardship in this particular case because of the visibility factor and the landmark factor, but there should have been an attempt to modify the existing sign, reducing the size, or looking for alternatives.

Mayor Armstrong commented that the compromise appears to be a reasonable one -- it will necessitate a report back from the City Attorney regarding the abatement process.

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17. ADMINISTRATIVE MATTERS:

17a. EMERGENCY ORDINANCE regulating arcades.

ORDINANCE NO. 2998

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE PROVIDING THAT ARCADES OR SIMILAR PLACES OF BUSINESS WHICH FEATURE ELECTRONIC OR MECHANICAL GAMES AS THE PRIMARY PURPOSE, OR WHERE FIVE (5) OR MORE SUCH ELECTRONIC OR MECHANICAL GAMES ARE INSTALLED SHALL REQUIRE A CONDITIONAL USE PERMIT, AND DECLARING THE PRESENCE OF AN EMERGENCY

Councilman Brown moved for the adoption of Emergency Ordinance No. 2998 at its first and only reading. His motion was seconded by Councilwoman Geissert.

Discussion ensued. Councilman Rossberg indicated disapproval of making "5" the magic figure without knowledge of its effect, deeming it "bad business" -- "what is it we are afraid of?" It was the comment of Councilman Walker that the manner in which the ordinance is written is too pointed and could have been handled in a different manner -- there should be a specified difference between pinball games and mechanical games of skill.

The motion for the adoption of Ordinance No. 2998 carried, with roll call vote as follows:

- AYES: COUNCILMEMBERS: Applegate, Brown, Geissert, Wilson; Mayor Armstrong.
- NOES: COUNCILMEMBERS: Rossberg, Walker.

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Considered together:

- 17b. Revised Ordinance adding Chapter 8 to Division 1 of the Torrance Municipal Code establishing rules of order for the meetings, etc.

Resolution establishing rules of order for the meetings, government and conduct of business of the City Council.

Ordinance repealing Section 12.1.4 of the Torrance Municipal Code establishing the place of holding Council meetings.

Council discussion was directed to contents of the subject ordinance. It was the recommendation of Councilman Rossberg that Section 18.1.2 be amended to state ".....or any other place designated by the Council." There were no objections.

Of particular concern was Section 18.5.2 RULES OF DEBATE. Objections were voiced to the limiting of debate by Councilmembers, it ultimately being agreed that Section 18.5.2 f) should be deleted.

MOTION: Councilman Brown moved to refer Item 17b back to the City Attorney for further review in view of the relationship of deleted Section 18.5.2 f) to other provisions of the ordinance. There were no objections, and it was so ordered.

It was the request of Councilman Rossberg that changes made by the City Attorney be underlined to provide clarity for the Council.

A SUBSTITUTE MOTION was also offered by Councilman Rossberg: That the Council approve the ordinance along the lines of changes discussed with regards to Section 18.5.2 f). THE SUBSTITUTE MOTION DIED FOR LACK OF A SECOND.

It was the added comment of Councilman Applegate that each member shall have the right to speak at least once after limiting debate -- this recommended modification met with the approval of the Council.

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20. CONSENT CALENDAR:

- 20a. AWARD OF CONTRACT - Purchase of 20 MIN. FLARES  
(Ref. Bid B81-23) Expenditure: \$7352.16

RECOMMENDATION OF STAFF:

That your Honorable Body accept the low bid submitted by Cal-Police Equipment Company and approve of the award of a contract to them in the total amount of \$7352.16 (including tax) for furnishing the City's annual requirements of flares.

- 20b. AWARD OF ANNUAL CONTRACT - Rental of Paging Equipment for Key City Personnel. Expenditure: \$7,000.00

RECOMMENDATION OF STAFF:

That Council award a contract for the required paging equipment to Alladdin Anserfone of Torrance for the total amount of \$7,000.00.

Questioned by Councilwoman Geissert was whether or not there are other Torrance firms offering this service, with note of the need for procedure and criteria. It was agreed to proceed with this item, with Staff to return with a report regarding the above stated concerns.

MOTION: Councilman Wilson moved to concur with Staff recommendations on agenda items 20a and 20b, Staff to return with further input re: 20b. The motion was seconded by Councilman Walker, and roll call vote was unanimously favorable.

22. ORAL COMMUNICATIONS:

22a. Councilwoman Geissert recommended that the Mayor direct a communication to President Reagan and all those involved in the assassination attempt conveying the sympathy and good wishes of this Council -- this action concurred in by the Council.

22b. Councilman Rossberg requested Staff investigate trash-dumping problems created by the closure of the Palos Verdes Landfill.

22c. Mayor Armstrong requested appropriate recognition of Torrance's championship soccer teams.

22d. Mayor Armstrong requested Staff investigation re: the reduced Federal funding for the Torrance Children's Center at Magruder School -- contact with Washington representatives was suggested by the Mayor.

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At 8:25 P.M. the Council recessed, going into Joint Session with the Redevelopment Agency, including a Joint Executive Session at 8:30 P.M. On its return at 8:55 P.M. no formal Council action was taken.

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22. ORAL COMMUNICATIONS (Cont.)

22e. Mayor Armstrong appointed the Committee on Executive Salaries: Councilmembers Brown, Geissert, with Councilman Walker as Chairman.

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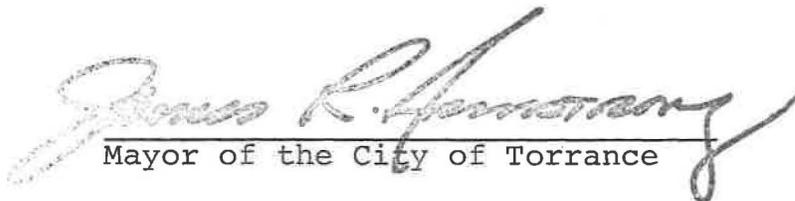
The meeting was regularly adjourned at 9:00 P.M. -- adjournment was dedicated to the memory of Mr. Simon "Sam" Nincevic.

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Ava Cripe  
Minute Secretary

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Mayor of the City of Torrance

  
City Clerk of the City of Torrance