

I N D E XCity Council - January 18, 1983

<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. Motion to Waive Further Reading	2
7. Council Committee Meetings	2
<u>13. ENVIRONMENTAL/BUILDING &amp; SAFETY MATTERS:</u>	
13a. Building Energy Management Systems for City Hall and the Civic Center Library	2
<u>14. PERSONNEL MATTERS:</u>	
14a. Appointment of William G. Quale as Assistant City Attorney	3
<u>15. HEARINGS:</u>	
15a. Appeal re: disability retirement - Dennis Ahlemeir	3
15b. Appeal re: CUP 82-35, Marriott Corporation	3-5
15c. Appeal re: D 82-18, Patrick Daniels/Jack Colvin	2
15d. Continued Hearing - PP 80-38, Ponderosa Homes	6-8
<u>17. ADMINISTRATIVE MATTERS:</u>	
17a. Executive Session re: Litigation	12
<u>19. MATTERS NOT OTHERWISE CLASSIFIED:</u>	
19a. Resolution re: Municipal Court Bail Schedule	9
<u>22. ORAL COMMUNICATIONS:</u>	
22a. Councilmembers re: Transportation Improvement Fund	9,10
22b. Councilman Rossberg, best wishes to City Manager Jackson	11
22c. Councilman Rossberg, appreciation re: E.J. Ferraro article in Daily Breeze	11
22d. Councilman Rossberg, congratulations to newly appointed Asst. City Attorney Quale	11
22e. Councilman Rossberg re: Hillside Ordinance	11
22f. Councilman Walker re: Fire Series	11
22g. Councilman Wilson re: Independent Cities Board of Directors meeting	11
22h. Councilman Wirth re: report from legislators	11
22i. Councilman Wirth re: working with Redondo Beach on double left-turn lanes on 190th Street	11
22j. Mayor Armstrong re: congressional districts	11
22k. Mayor Armstrong re: Senior Citizen's Income Tax Assistance Program	11
22l. Mayor Armstrong re: Dr. Howard Wood's 89th birthday	11

\* \* \* \* \*

Ava Cripe  
Minute SecretaryCity Council  
January 18, 1983

January 18, 1983

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, January 18, 1983, at 5:30 P.M. in the Council Chambers at Torrance City Hall.

2. ROLL CALL:

Present: Councilmembers Applegate, Geissert, Rossberg, Walker, Wilson, Wirth and Mayor Armstrong.

Absent: None.

Also present: City Manager Jackson and Staff representatives.

3. FLAG SALUTE:

Ms. Gina Eastham led in the salute to the flag.

4. INVOCATION:

Father George Detor, St. Andrews Episcopal Church, provided the invocation.

STANDARD MOTIONS:

5. APPROVAL OF MINUTES:

Councilman Applegate moved to approve the minutes of December 7, 1982, as recorded. His motion was seconded by Councilman Rossberg, and roll call vote was unanimously favorable.

1. City Council  
January 18, 1983

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 Rossberg, and roll call vote was unanimously favorable.

7. COUNCIL COMMITTEE MEETINGS:

Citizen Development:  
January 19th - 4:00 P.M.

\* \* \* \* \*

Requested postponements were noted by Mayor Armstrong at this time, as follows:

15a. Appeal re: denial of disability retirement for Dennis Ahlemeir: Continuance to February 8, 1983, at 5:30 P.M. requested by attorney for applicant; concurred in by Staff.

15c. Appeal of Planning Commission denial of D82-18: Continuance to February 1, 1983, requested by proponent as he will be out of the state; concurred in by Staff.

MOTION: Councilman Applegate move to concur with the above requested continuances. The motion was seconded by Councilwoman Geissert. There were no objections, and it was so ordered.

\* \* \* \* \*

13. ENVIRONMENTAL/BUILDING AND SAFETY MATTERS:

13a. BUILDING ENERGY MANAGEMENT SYSTEMS FOR CITY HALL AND THE CIVIC CENTER LIBRARY.

RECOMMENDATION OF BUILDING AND SAFETY DIRECTOR:

That your Honorable Body:

1. Authorize use of the \$79,400 currently included within the Capital Improvements Budget for acquisition of the building energy management systems for City Hall and the Civic Center Library, and

2. City Council  
January 18, 1983

2. Award the subject contract for system design, bid assistance and installation monitoring to Control Dynamics, Inc. - the contract amount, a maximum of \$4350, being part of the \$79,400 total systems cost.

MOTION: Councilwoman Geissert moved to concur with the above stated Staff recommendation. Her motion was seconded by Councilman Rossberg, and roll call vote was unanimously favorable.

14. PERSONNEL MATTERS:

14a. APPOINTMENT OF WILLIAM G. QUALE AS ASSISTANT CITY ATTORNEY.

RECOMMENDATION OF CITY ATTORNEY:

That your Honorable Body appoint Mr. William G. Quale to be Assistant City Attorney effective January 19, 1983, at the second step of the salary range.

MOTION: Councilman Wilson moved to concur with the recommendation of the City Attorney re: the appointment of William G. Quale as Assistant City Attorney. The motion was seconded by Councilman Walker, and roll call vote was unanimously favorable.

Assistant City Attorney Quale was present to receive the warm congratulations of the Council and all in attendance.

\* \* \* \* \*

15. HEARINGS:

15a. Appeal regarding denial of disability retirement for Dennis Ahlemeir.

Continued to February 8, 1983 - See Page 2.

15b. Administrative Appeal of Planning Commission approval of a Conditional Use Permit to allow construction of an 18-story hotel and 4-level parking structure. CUP 82-35, MARRIOTT CORPORATION.

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

Mayor Armstrong announced that this was the time and place for the subject public hearing, and, following Staff presentation by Planning Director Ferren, invited comments from the audience.

3. City Council  
January 18, 1983

Representing the proponent, Mr. Ron Minekime, Senior Project Coordinator, described the proposed Marriott Hotel development, assisted by an informative slide presentation, and provided desired clarification to the Council pertaining to: banquet/grand ballroom accommodations; the street address; use of the name "Torrance Marriott;" controlled parking arrangements; traffic projections; the shuttle bus concept; the configuration of Dolores Way and possible traffic impacts; overall potential parking problems and the solution thereof; fire equipment capabilities; height of development, as compared with Union Bank Building and the Holiday Inn; parking structure height; etc.

Mr. James Jones was present to state that the shopping center owners are very confident that any possible parking and traffic difficulties can be resolved.

Condition #13 - "That, to the satisfaction of the City Attorney, the City Engineer and the Director of Transportation, the proponent or owner shall:

c. Agree to provide cross-access easements for vehicular and pedestrian travel between the subject property and the property that is adjacent to the north and west." - was reviewed by Mr. Minekime (per January 13, 1983 communication, of record). It was his request that 13c. be revised to delete the reference to "vehicular access." It was indicated by Mayor Armstrong, based on input from Director of Transportation Horkay and City Engineer Bourbonnais, that it is not the intent of the condition to grant unlimited, completely free, vehicular access across the property, but, rather, it is a standard condition designed to aid in future planning. Further review by Staff and the proponent was recommended by the Mayor; hopefully, the condition can be reworked to the satisfaction of all interested parties.

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

Formal action taken by the Council is reflected below:

MOTION: Councilman Rossberg moved to concur with the recommendation of the Planning Commission and Planning Department for approval of CUP 82-35, Marriott Corporation. The motion was seconded by Councilman Walker.

Councilman Rossberg commended all responsible for the "tremendous package" relating to this project -- a milestone in the City of Torrance.

Roll call vote on the motion to approve CUP 82-35 was unanimously favorable.

RESOLUTION NO. 83-12

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT TO ALLOW THE CONSTRUCTION OF AN 18-STORY HOTEL AND A FOUR-LEVEL PARKING STRUCTURE IN THE C-3 ZONE ON PROPERTY LOCATED ON THE NORTHWEST CORNER OF DELORES WAY AND FASHION WAY

CUP 82-35: MARRIOTT CORPORATION

Councilman Walker moved for the adoption of Resolution No. 83-12. His motion was seconded by Councilman Applegate, with the recommendation that there be an added condition that the development be known as the "Torrance Marriott."

Councilman Walker so AMENDED HIS MOTION, and roll call vote on the adoption of Resolution No. 83-12, as above amended, was unanimously favorable.

Mayor Armstrong joined in commendation of all responsible for the evolvment of this outstanding project -- there was concurrence by the Council.

\* \* \* \* \*

The hour being 6:55 P.M. the Council recessed and reconvened as the Redevelopment Agency, returning at 6:56 P.M.

A 10-minute recess was ordered by Mayor Armstrong.

\* \* \* \* \*

15c. Appeal of Planning Commission denial of a Division of Lot to create three parcels in the R-1 zone at 2363 West 233rd Street - D82-18, Patrick Daniels and Jack Colvin.

Continued to February 1, 1983 - See Page 2.

5.

City Council  
January 18, 1983

- 15d. CONTINUED HEARING ON PONDEROSA HOMES APPLICATION to build single-family residences on Lots 11, 12, 27, 28, 29 and 32. PP 80-38 (George R. Putnam, Senior Vice President). THE PLANNING DEPARTMENT RECOMMENDS APPROVAL OF THE PLANS AS ORIGINALLY SUBMITTED WITH NOW LOWERED ELEVATIONS ON LOTS 11 AND 12, AND SUBJECT TO CONDITIONS.

Mayor Armstrong announced that this was the time and place for the continued public hearing in the subject matter. Past considerations were reviewed by the Mayor, and formal Staff presentation and desired clarification was provided by Planning Associate Woodward.

Council discussion ensued. Councilman Applegate pointed out past considerations relative to single-story homes, it being generally agreed that this would be necessary in order to mitigate view impacts in certain cases; also noted were economic factors.

Mr. George R. Putnam, Senior Vice President, Ponderosa Homes, responded to the above discussion, stating that all their decisions are based on very intense market studies -- "we are in the business of making money, and that is why we invested in this site," an understandable position. The high costs of the finished lot on this site make a one-story house impractical, per Mr. Putnam -- further, every unit carries its own margin of profit. Mr. Putnam then commented on their efforts to respond to the sensitive issues of this development, with some of the houses reduced almost nine feet in total height from the original submission. Lots 11, 12 and 32 were then specifically addressed by Mr. Putnam. Also discussed by Mr. Putnam was their purchase of "view easements."

There was further input by Mr. Dick Munsell, Planning Director for Ponderosa Homes, regarding degree of view impacts on the adjacent residential area.

Mr. E.C. Welch, 2413 Faircross Street, reiterated his concerns relative to view blockage; his view would be maintained were a single-story house placed on the lot affecting his property.

Next to speak was Mr. Allen Scott, 25718 Crest Road, who stated that he bought his present home because of the view -- "there is an ordinance in the City of Torrance, and I am asking for protection under that City ordinance." He does not want any of his view taken away by Ponderosa.

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

Council discussion ensued. Councilman Rossberg questioned the validity of the Hillside Ordinance as related to the procuring of view rights -- it would appear that the Hillside Ordinance could be a tool for a homeowner to sell his view rights, forcing a developer to buy those rights thereby circumventing the Hillside Ordinance. City Attorney Remelmeyer did not concur with the word "circumventing," deeming a "view" as a property right, representing some value. Mr. Rossberg reaffirmed his strong feeling that he does not want a City ordinance that can be used as a "gun in someone's back to have them pay off rights or sell rights..." If the Hillside Ordinance ends up in this manner, per Councilman Rossberg, he would take action to revoke this ordinance. It was the added comment of City Attorney Remelmeyer that if views are being blocked and the Council considers the blockage significant or substantial, then the Council, on that basis, would have the right to reject building on that lot; however, view blockage cannot be considered on the lots where the developer has purchased the easement for the view. Mayor Armstrong stated, at this point, that it was clearly not the intent of the Council to establish the concept of buying and selling views in the adoption of the Hillside Ordinance.

The above concerns were also reviewed by Councilman Applegate, it being his opinion that the Council does not have the right to tell private property owners that they cannot settle their own differences.

Formal Council action was as follows:

MOTION: Councilman Applegate moved for approval of the plans as submitted for Lots, 12, 27, 28 and 29. The motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

MOTION: Councilwoman Geissert moved that the Council approve Lots 11 and 32 with the provision that Model #3 be placed upon those lots. The motion was seconded by Councilman Wilson, and carried, with roll call vote as follows:

AYES: COUNCILMEMBERS: Geissert, Rossberg, Wilson,  
Wirth; Mayor Armstrong.

NOES: COUNCILMEMBERS: Applegate, Walker.

Councilman Walker did not favor the imposition of the condition contained in the motion, hence his negative vote.

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

RESOLUTION NO. 83-13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A PRECISE PLAN OF DEVELOPMENT AS PROVIDED FOR IN DIVISION 9, CHAPTER 6, ARTICLE 2, OF THE TORRANCE MUNICIPAL CODE TO ALLOW THE CONSTRUCTION OF 40 SINGLE-FAMILY RESIDENCES IN THE HILLSIDE OVERLAY DISTRICT IN THE R-1 ZONE ON PROPERTY LOCATED AT 25600 CRENSHAW BOULEVARD  
PP 80-38 PONDEROSA HOMES

Councilman Wilson moved for the adoption of Resolution No. 83-13, as amended re: Lots 11 and 32. His motion was seconded by Councilman Applegate, and roll call vote was unanimously favorable.

\* \* \* \* \*

8.

City Council  
January 18, 1983

17. ADMINISTRATIVE MATTERS:17a. EXECUTIVE SESSION re: Litigation.

See Page 12.

19. MATTERS NOT OTHERWISE CLASSIFIED:19a. RESOLUTION re: Municipal Court Bail Schedule.

City Attorney Remelmeyer stated that Section 38.1.1 - Alarm Systems - should be deleted. So noted by the Council.

RESOLUTION NO. 83-14

A RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF TORRANCE SETTING FORTH  
A SUGGESTED SCHEDULE OF BAIL FOR USE  
BY THE MUNICIPAL COURT IN MISDEMEANOR  
CASES ARISING FROM VIOLATIONS OF THE  
TORRANCE MUNICIPAL CODE

Councilwoman Geissert moved for the adoption of Resolution No. 83-14, as above amended. Her motion was seconded by Councilman Wilson.

Prior to roll call vote on the motion, Councilman Rossberg stated his opinion that the amount in Section 44.3.1 - Glass or sharp objects on the beach - should more appropriately be \$50.00 instead of \$25.00. The Council concurred.

Councilwoman Geissert so AMENDED HER MOTION, with approval of Councilman Wilson who seconded the motion. Roll call vote was unanimously favorable.

22. ORAL COMMUNICATIONS:

22a. Councilwoman Geissert reviewed her recent memo regarding the Transportation Improvement Fund and the need for revision of the process, it being her preference that assessment districts be developed in certain overlay areas where major impacts are apparent -- Staff to return with a report on the feasibility of this concept (continuing the present practice of procedural conditions of approval).

It was the comment of Councilman Applegate that past practices, up to the point of the Transportation Improvement Fund, were very appropriate -- the need to study this matter was acknowledged. At this time Councilman Applegate offered the following MOTION: That the Transportation Improvement Fund concept be shelved and not be assessed or brought into play on any of the projects in the City. The motion was seconded by Councilman Rossberg.

Councilman Rossberg stated that his major objection to the Transportation Improvement Fund was that it was being implemented without Council's knowledge, with note of the negative community feeling regarding same. Further, in the opinion of Mr. Rossberg, this is another tax, call it what you will; he disagrees strongly with this Fund.

It was stated by Councilman Walker that it is necessary that the Council look to the manner in which street improvements are financed on a long term basis, based on present and future patterns -- the "creativity is great, but bring the creativity to Council and let the Council make the decision," per Mr. Walker.

Councilman Wirth commented that there is need for a study and the door should not be closed; he will, therefore, vote against the motion.

At this point, Councilman Applegate RESTATED HIS MOTION, as follows: That the Council now eliminate the imposition of the assessment called the Transportation Improvement Fund (i.e. the \$1.00 per square foot assessment for new proposals); this would allow for the continued practice of requiring street improvements, signalization and other intersection improvements as Staff has practiced for years. Further, that Staff be directed to investigate other possibilities for raising potential monies for future transportation problems. The restated motion was seconded by Councilman Rossberg.

It was noted by City Manager Jackson at this time that it is now reaching a point in Environmental Impact Reports where the Department of Transportation is faced with reaching outside of the site to mitigate traffic problems created by the development -- past practices have been expanded in this regard.

Councilman Applegate's motion carried, with roll call vote as follows:

AYES: COUNCILMEMBERS: Applegate, Geissert, Rossberg,  
Walker, Wilson; Mayor Armstrong.  
NOES: COUNCILMEMBERS: Wirth (for above stated reason).

22b. Councilman Rossberg welcomed Mr. LeRoy Jackson, now officially City Manager, and extended best wishes for a long, rewarding career in this capacity.

22c. Councilman Rossberg expressed appreciation to Daily Breeze reporter David Hall for the tremendous article on retired City Manager Edward J. Ferraro.

22d. Councilman Rossberg congratulated newly appointed Assistant City Attorney Quale, with good wishes for his success.

22e. Councilman Rossberg recommended that the Council reflect on the Hillside Ordinance, based on discussion under Item 15d, Ponderosa Homes, this date.

22f. Councilman Walker, as chairman of the Employee Relations Committee, advised that the matter pertaining to the Fire Series - Assistant Fire Marshal, Fire Inspector II and Fire Inspector I - has been solved. It was the request of Mr. Walker that the Council rescind the instruction of this committee. There were no objections, and it was so ordered.

22g. Councilman Wilson announced that Torrance will be hosting the January 20th meeting of the Independent Cities Board of Directors.

22h. Councilman Wirth reported on recent trip to Sacramento and reports from legislators regarding State funding to cities.

22i. Councilman Wirth noted the need to work with the City of Redondo Beach relative to double left-turn lanes on 190th/Anza and Inglewood. There were no objections, and Staff was directed to follow through on this matter.

22j. Mayor Armstrong advised that he has prepared a memo regarding his conversations with Congressman Lundgren's office re: congressional districts. Memo will be distributed to the Council.

22k. Mayor Armstrong announced that the Senior Citizen's Income Tax Assistance Program will again be in effect on January 31st.

22l. Mayor Armstrong advised that last January 12th Dr. Howard Wood had his 89th birthday -- a momentous occasion for this distinguished Torrance resident.

11.

City Council  
January 18, 1983

17a. EXECUTIVE SESSION.

At 9:10 P.M. the Council recessed for an Executive Session, returning at 9:15 P.M. No action was taken.

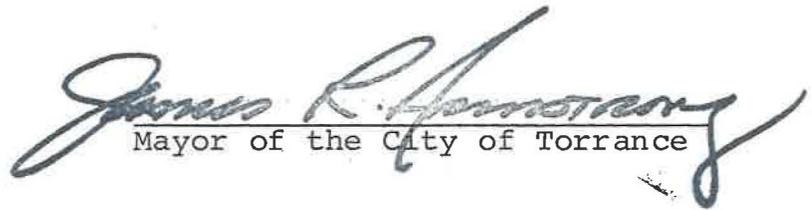
The meeting was regularly adjourned at 9:16 P.M.

\* \* \* \* \*

Ava Cripe  
Minute Secretary

12.

City Council  
January 18, 1983

  
Mayor of the City of Torrance

  
City Clerk of the City of Torrance