

I N D E XCity Council - August 23, 1983

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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, August 23, 1983, at 7:00 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: Acting City Manager Dundore and Staff representatives.

3. FLAG SALUTE:

Mrs. Liz Rojas led in the salute to the flag.

4. INVOCATION:

The invocation was given by Reverend Carroll Parker, First United Methodist Church.

STANDARD MOTIONS:

5. APPROVAL OF MINUTES:

Councilman Applegate moved to approve the minutes of July 26, 1983, as recorded. His motion was seconded by Councilwoman Geissert, and roll call vote was unanimously favorable.

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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 Councilwoman Geissert, and roll call vote was unanimously favorable.

7. COUNCIL COMMITTEE MEETINGS:

Transportation:
August 29th at 4:30 P.M.

* * * * *

Mayor Armstrong announced, with deep regret, the passing of two former City employees: Sergeant Donnie Cook, Police Department, and Mr. Rich Rozendal, Equipment Superintendent, City Garage. It was the direction of the Mayor that this meeting be adjourned in their memory.

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8. COMMUNITY MATTERS:8a. PROCLAMATION - "German Day" - August 28, 1983.

So proclaimed by Mayor Armstrong.

8b. PRESENTATION OF PLAQUE TO STAN SMITH.

Mayor Armstrong presented a plaque to retiring Parks and Recreation Commissioner/Chairman Stan Smith, and expressed the appreciation of the Council and the community for his dedicated service. There was grateful acceptance by Mr. Smith.

8c. BEAUTIFICATION AWARDS FOR SUMMER, 1983.

Presentation of Summer, 1983 Beautification Awards was made by Richard Kuhns, Chairman, Environmental Quality and Energy Conservation Commission. Recipients of the awards were:

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Residential:

Mr. and Mrs. Philo Mellor
18249 Ashley

Commercial:

Harbor Animal Hospital, Inc.
1855 Torrance Boulevard
Dr. Rollin Smith/Dr. Bruce Smith

Commercial Redevelopment:

Lovelady Hardware
1967 Carson Street
Mr. Vern T. Lovelady

Industrial:

Toyoto National Headquarters
19001 Western Avenue
Mr. Robert Nixon

Religious Land Use:

Salvation Army
4223 Emerald Street
Captain Robert Johnson

8d. PRESENTATION OF PLAQUE TO KEVIN COGAN.

Mayor Armstrong, on behalf of the Council, presented a plaque in recognition of the racing accomplishments of Mr. Kevin Cogan. This plaque was very much appreciated by Mr. Cogan.

9. LIBRARY/PARKS & RECREATION MATTERS:9a. DONATION TO LIBRARY TRUST FUND FROM THE TORRANCE TEACHERS ASSOCIATION

RECOMMENDATION OF LIBRARY DEPARTMENT/LIBRARY COMMISSION: That your Honorable Body accept, with thanks, the donation of \$150.00 to the Library Trust Fund from the Torrance Teachers Association.

MOTION: Councilman Wirth moved to concur with the Library Commission and Department re: acceptance, with thanks, of the subject donation. The motion was seconded by Councilman Wilson. There were no objections, and it was so ordered.

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10. TRANSPORTATION/PUBLIC WORKS MATTERS:

10a. ESTABLISHMENT OF SEWER REIMBURSEMENT DISTRICT NO. 97 - BLUFF COURT (PROPOSED) SOUTHWEST OF NEWTON STREET AND NORTH OF VIA VALMONTE

RECOMMENDATION OF CITY ENGINEER:

That Sewer Reimbursement District No. 97 be established with a connection fee of \$7,622.03 per acre to recover all costs of sewer construction in Bluff Court (Proposed).

MOTION: Councilman Walker moved to concur with the above stated recommendation of the City Engineer. His motion was seconded by Councilwoman Geissert, and roll call vote was unanimously favorable.

10b. RESOLUTION OF INTENTION - 1983 Weed Abatement Program.

RESOLUTION NO. 83-205

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE DECLARING THAT WEEDS GROWING UPON AND IN FRONT OF CERTAIN PRIVATE PROPERTIES IN THE CITY ARE A SEASONAL AND RECURRENT NUISANCE, AND DECLARING ITS INTENTION TO PROVIDE FOR THE ABATEMENT THEREOF

Councilman Wilson moved for the adoption of Resolution No. 83-205. His motion, seconded by Councilman Applegate, was unanimously approved by roll call vote.

10c. RESOLUTION OF INTENTION - Proposed Vacation of a Portion of Illinois Court at 165th Street adjacent to Lot 6, Tract No. 13043.
Proponent and Beneficiary: Mr. Robert Bachelder

RESOLUTION NO. 83-206

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE DECLARING ITS INTENTION TO VACATE A PORTION OF ILLINOIS COURT AT 165TH STREET ADJACENT TO LOT 6, TRACT NO. 13043, IN THE CITY OF TORRANCE; FIXING A TIME AND PLACE FOR THE HEARING THEREON AND PROVIDING FOR THE PUBLICATION OF THIS RESOLUTION

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Councilwoman Geissert moved for the adoption of Resolution No. 83-206. Her motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

15. HEARINGS:

- 15a. PP 83-16, EDWARD GIDDINGS: Administrative Appeal of Planning Commission approval of a Precise Plan of Development to allow the construction of a three-story residence and waiver of the maximum height to 39 feet in the Hillside Overlay District in the R-1 zone at 429 Paseo de la Playa.
THE PLANNING COMMISSION AND THE PLANNING DEPARTMENT RECOMMEND DENIAL OF THE APPEAL AND APPROVAL OF THE PROJECT.

Proof of Publication was presented by Deputy City Clerk Croft, 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 Assistant Donna Richardson, invited comments from the audience.

Speakers were:

Mr. Edward Giddings, architect, representing the owner of the subject property, Mr. Paul Briles: Noted that there has been compliance with all guidelines and regulations.

Mr. Joseph Sullivan, 117 Paseo de Suenos, Executive Board, Riviera Homeowners Association: Requested that the Council consider the following: (1) the proposed building is planned to exceed City Code in overall height (noting Coastal Plan desire for 25 ft. maximum); (2) the excessive height of 39 ft. will impair ocean views of several homeowners; (3) the proposal to build a structure of 12,626 sq. ft. is excessive to pertinent Code section which stresses building compatibility. Council support of the appeal was requested by Mr. Sullivan.

Mr. Brian Schreiber, 449 Paseo de la Playa (representing father); The proposed house looks like an apartment building.

Mr. Jack Newville, 417 Paseo de la Playa: This house would be an asset to the neighborhood -- a large house increases property values -- and he is in favor of the proposed construction.

Mr. Edward Leahey, 417 Camino de Encanto: The proposed structure would eliminate part of his ocean view -- a house of this size is not fair to the many homeowners who in the past have planned and built in compliance with established requirements. It is this speaker's opinion that a three-story structure of some 12,000 square feet is out of character with the architecture and atmosphere of the neighborhood, and would be a misplaced improvement.

Mr. Clarence Jones, 106 Paseo de Suenos: Indicated his respect for a property owner's right to build on his property; however, what is proposed in this case is a three-story building (the only one in the area) and out of character with the area. Mr. Jones further noted the value of view property, and stated that by removing part of his view, as would happen with the proposed project, a tangible asset has been taken from him.

Ms. Susan Hood, 437 Paseo de la Playa: Other houses in the area are higher than hers; there is nothing wrong with the proposed house.

Mr. James Irwin, 211 Paseo de Suenos: Reviewed proposed parking arrangements on this development and the apparent discrepancies pertaining thereto. View impacts were also noted, with the comment that there not be infringement on the rights and privileges of other people.

Ms. Bach, 214 Paseo de la Playa: In her opinion, this is not a house; it is a motel.

Ms. Vivienne Jay, 206 Vista del Sol: The proposed residence is entirely out of line with other residences in the area, and appears to be more than a single-family dwelling. "This place is very imposing; it's just too imposing," per Ms. Jay.

Mr. Glen Penney, 206 Vista del Sol: Noted the effect on property values when views are obstructed.

Ms. Inez McGee, 431 Camino de Encanto: A three-story ^{house}, as proposed in this case, will be precedent-setting -- of further concern is the potential use of a home this size, a structure which could be used in the future by several families or a cult.

Mr. Edward Giddings, architect, returned at this time to point out the extensive efforts made to comply with all requirements. The residence is large, according to Mr. Giddings, but "things do change; ocean

front land values have changed quite a bit in the last twenty-five years since most of the houses were built there."

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

Council discussion ensued.

Councilman Walker reported on his on-site review of the subject property and his discussions with area residents; a person should be able to build his "dream house," and he does not find this particular house objectionable. The overall concept of the house and garage space met with Mr. Walker's approval -- further, the proposed residence, of such significant value, should greatly increase property values in the area.

Differing with Councilman Walker, Councilwoman Geissert stated that the plans denote extensive entertainment facilities -- a gymnasium, outdoor sauna with bar, three interior bars, several family rooms, etc., along with the outdoor entrances -- and it is her feeling that this house would be more appropriate on a much larger site. Mrs. Geissert indicated that she would support the appeal for the reason that she believes there is significant view blockage for some of the homes to the east; further, this is a substantial deviation from the guidelines for the coastal zone that are written into the Code. Accordingly:

MOTION: Councilwoman Geissert moved to support the appeal and deny the project. The motion was seconded by Councilman Wilson.

It was the comment of Councilman Wilson that the project "flagrantly violates the R-1 zone concept; it is just out of character with the neighborhood."

In support of the motion, Councilman Wirth stated his feeling that the proposed home is not appropriate for the neighborhood and will have some impacts.

Councilman Rossberg reviewed the property dimensions, the vacant lot aspect as opposed to an addition on an existing home, presumptions re: definition of "home entertainment," etc. It was the finding of Mr. Rossberg that "this is a big house, but I see nothing wrong with it in the area that it is going. I think it is going to be added value to the neighborhood."

A SUBSTITUTE MOTION was then offered by Councilman Rossberg: To concur with the recommendation of the

Planning Department and Planning Commission for denial of the appeal and approval of the project. The substitute motion was seconded by Councilman Walker.

Council discussion resumed. Councilman Applegate stated that he would support the substitute motion, in that the development is proposed for a vacant lot as opposed to an addition on an existing home; further, he deemed it ingenious of the owner attempting to build a home which would provide parking in view of the parking problems in the area

At this point in the meeting Mr. Paul Briles, owner of the subject property, indicated his desire to present a rendering of the proposed residence. Councilman Rossberg thereupon MOVED to reopen the hearing. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

Presentation of the rendering and desired clarification re: the proposed project was then provided by Mr. Briles.

Mr. James Irwin returned to question the accuracy of the mean curb level. Mr. Briles advised that qualified professionals had done the topography of the property, and it must be presumed that it is accurate.

It was the comment of Mr. Paul Stern, 112 Paseo de Suenos, that whether it is a new structure or an addition has nothing to do with the fact that an obstruction of view is still an obstruction of view.

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

Mayor Armstrong stated his opinion that the design in this case is "imaginative," perhaps even award-winning -- however, it is "too much house for this particular area, this particular lot, this particular general perspective."

The SUBSTITUTE MOTION, to deny the appeal and grant the project, FAILED TO CARRY, with roll call vote as follows:

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

The MAIN MOTION, to grant the appeal and deny the project, CARRIED, with roll call vote as follows:

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

NOES: COUNCILMEMBERS: Applegate, Rossberg, Walker.

(Further action was taken on this item -- see page 13.)

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The hour being 8:40 P.M., a 10-minute recess was ordered by Mayor Armstrong.

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15b. CUP 76-108 (Mod.) VERA ZIMMERHAKL: Administrative Appeal of a Planning Commission approval of a Modification of CUP 76-108 to allow the operation of a retirement residence in the old Torrance Memorial Hospital in the R-3 Zone at 1425 Engracia Avenue. THE PLANNING COMMISSION AND THE PLANNING DEPARTMENT RECOMMEND DENIAL OF THE APPEAL AND APPROVAL OF THE PROJECT.

Proof of Publication was presented by Deputy City Clerk Croft, 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 Associate Woodward, invited comments from the audience.

Representing the proponents, Attorney Randall Kimos, 221 Avenue "I", Redondo Beach, stated that they support Staff and Planning Commission recommendations with the exception of Condition #15 re: fire hydrants. Mr. Kimos requested that they be given an opportunity to discuss this further with the Fire Department. It was the recommendation of Fire Chief DeYoung that the condition be left in, subject to further discussion and review re: compliance with requirements.

In response to questions posed by Councilman Applegate re: live-in employees, Mr. Kimos advised that over the last several years the Zimmerhakls have provided room and board for the employees rather than pay them money. Mr. Applegate offered a condition: "That no employees shall reside at

this resident-hotel." This condition was acceptable to Mr. Kimos.

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

Council discussion was directed to concerns pertaining to the proposed development.

MOTION: Councilman Applegate moved to modify Condition #25 to state: "That rooms shall be rented only to tenants over 60 years of age...." (deleting "and to employees of the facility"); Condition #23, delete reference to staff persons. THE MOTION DIED FOR LACK OF A SECOND.

MOTION: Councilman Walker moved to deny the appeal and approve the project, concurring with the Planning Commission, with the following modifications:

Condition #15: "That two fire hydrants shall be installed....." adding: "subject to discussion with the Fire Chief."

Condition #25, modified to state: "That rooms shall be rented only to tenants over 60 years of age and to no more than twelve adult employees....."

Condition #23, modified to state: ".....and 12 staff persons...." (instead of 26).

Adding Condition #37: "This project shall be automatically reviewed at the time each phase is prepared and presented."

Further, that the Council approve the amended conditions submitted by the Building and Safety Department in Supplementary Material for this item.

The motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

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

RESOLUTION NO. 83-207

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING MODIFICATION OF A PREVIOUSLY APPROVED

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CONDITIONAL USE PERMIT TO ALLOW
THE OPERATION OF A RETIREMENT
RESIDENCE IN THE OLD TORRANCE
MEMORIAL HOSPITAL IN THE R-3
ZONE ON PROPERTY LOCATED AT 1425
ENGRACIA AVENUE - CUP 76-108 (MOD.):
VERA ZIMMERHAKL

Councilman Walker moved for the adoption of Resolution No. 83-207, with all modifications. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

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17. ADMINISTRATIVE MATTERS:17a. EXECUTIVE SESSION.

See Page 15.

17b. ORDINANCE re: Sewer Revolving Fund.ORDINANCE NO. 3067

AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF TORRANCE AMENDING SECTION
214.1.1 OF THE TORRANCE MUNICIPAL
CODE TO PROVIDE FOR THE PLACEMENT OF
FUNDS RECEIVED BY THE CITY OF TORRANCE
FOR THE CONSTRUCTION OF OR CONNECTION
TO PUBLIC SEWERS AND AMENDING SECTION
214.2.2 OF THE TORRANCE MUNICIPAL CODE
TO PROVIDE FOR THE METHOD BY WHICH THE
COST OF CONSTRUCTION OF SEWERS IS
DETERMINED

Councilman Wilson moved for the approval of Ordinance No. 3067 at its first reading. His motion was seconded by Councilwoman Geissert, and roll call vote was unanimously favorable.

20. CONSENT CALENDAR:

- 20a. AWARD OF CONTRACT - To Furnish Miscellaneous Photographic Supply Requirements of Police Department.
Ref. Bid No. B83-38
Anticipated Expenditure: \$25,655.24

RECOMMENDATION

It is recommended that Council award the following contracts to the LOW RESPONSIBLE BIDDER of each commodity group.

- GROUP I - FILM - Recommend Council award the contract for various film requirements (bid items 1-28) to the Royce Photo/Graphics Company in the total anticipated amount of \$11,681.07 including tax.
- GROUP II - PHOTOGRAPHIC PAPER - Recommend Council award the contract for various photographic paper (bid items 29-42) to Paul's Photo in the total anticipated amount of \$4,495.83 including tax.
- GROUP III - PHOTOGRAPHIC CHEMICALS - Recommend Council award the contract for various photographic paper (for film developing) (bid items 43-65) to Paul's Photo in the total anticipated amount of \$5,813.15 including tax.

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GROUP IV - MISCELLANEOUS PHOTOGRAPHIC SUPPLIES - Recommend Council award the contract for various "other" photographic supplies (bid items 66-99) to Paul's Photo in the total anticipated amount of \$3,665.19 including tax.

MOTION: Councilman Wilson moved to concur with Staff recommendation on agenda item 20a. His motion was seconded by Mr. Applegate, and roll call vote was unanimously favorable.

* * * * *

The hour being 9:16 P.M., the Council recessed and reconvened as the Redevelopment Agency, returning to its agenda at 9:17 P.M.

* * * * *

Further considered by the Council at this time:

15a. PP 83-16, Edward Giddings.

MOTION: Councilman Applegate moved to reconsider Item 15a in order that the matter could be denied "without prejudice." The motion died at this point for lack of a second.

Then questioned by Councilman Applegate: could he change his vote on Item 15a in order that he might be on the prevailing side? The rules were read by City Attorney Remelmeyer, and it was ascertained that this would not be in order. Councilman Applegate MOVED to suspend the rules; the motion was seconded by Councilman Rossberg.

Councilman Wilson indicated that he would concur with Councilman Applegate's request, based on Councilmanic courtesy, and offered a SUBSTITUTE MOTION: That the Council reconsider the action taken on Item 15a. The motion was seconded by Councilman Rossberg, and carried, with roll call vote as follows:

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

Mayor Armstrong announced that the matter is now properly before the Council whereupon Councilman Applegate MOVED to DENY PP 83-16, WITHOUT PREJUDICE. The motion was seconded by Councilman Wilson, and CARRIED, with roll call vote as follows:

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

It was stated by Councilwoman Geissert that her negative vote was a procedural one, it being her feeling that the submission of substantially the same project would not address her concerns; it would have to be a totally different project.

22. ORAL COMMUNICATIONS:

22a. Councilman Applegate requested Staff investigation re: removal of the security lighting on high school fields in the City -- of specific interest are costs involved, impact on Police Department, etc.

22b. Councilman Applegate complimented Deputy City Clerk Croft, serving in the absence of City Clerk Babb -- "she did a very good job." The Council concurred in this praise of Ms. Croft.

Like praise, and concurrence, was forthcoming for the performance of Acting City Manager Dundore.

22c. Councilman Rossberg announced that the South Bay Cities will be meeting on Thursday, August 25th; City Attorney Remelmeyer will be the speaker.

22d. Councilman Rossberg reviewed recent memo from City Attorney Remelmeyer re: Alondra Park, and recommended Council action in the near future as to the course to pursue.

22e. Councilman Rossberg requested Staff investigation re: Dawes Painting sign on truck constantly parked on Hawthorne and Palos Verdes Boulevards.

22f. Mayor Armstrong commented on pending Alondra Park considerations, it being the ultimate consensus that this matter be referred to the Community Planning Committee.

22g. Mayor Armstrong directed that the August 30th Park Del Amo agenda item be expedited to the Council, with maintenance of regular procedures.

22h. Mayor Armstrong advised that he and City Treasurer Rupert will be going to Sacramento on August 24th -- appointments with State officials have been made. A report will be forthcoming.

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17a. EXECUTIVE SESSION.

At 9:45 P.M. the Council recessed for an Executive Session, returning at 10:00 P.M. No action was taken.

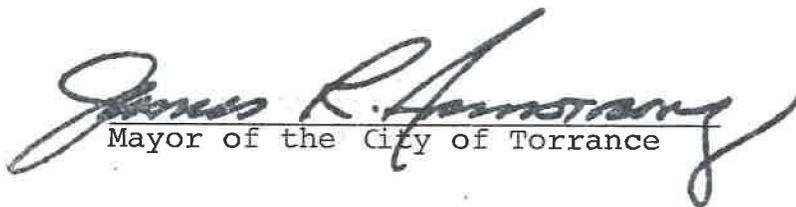
The meeting was regularly adjourned at 10:00 P.M. -- adjournment was in memory of Sergeant Donnie Cook and Mr. Rich Rozendal.

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Ava Cripe
Minute Secretary

15.

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Mayor of the City of Torrance


City Clerk of the City of Torrance