

I N D E X

Torrance City Council - November 24, 1987

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Peggy Lavery  
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 at 7:06 p.m., on Tuesday, November 24, 1987, in the Council Chambers at Torrance City Hall.

2. ROLL CALL:

Present: Councilmembers Applegate, Hardison, Mock, Nakano, Walker, Wirth and Mayor Geissert.

Absent: None.

Also present: City Manager Jackson, City Attorney Remelmeyer, and Staff representatives.

3. FLAG SALUTE/INVOCATION:

The salute to the flag was led by Mrs. Julie Dundore.

The invocation for the meeting was provided by Dr. Donald E. Wilson.

4. APPROVAL OF MINUTES/MOTION RE FURTHER READING:

MOTION: Councilman Applegate moved to approve the City Council minutes of October 22, 1987, as recorded. His motion, seconded by Councilwoman Hardison, carried unanimously by roll call vote.

MOTION: 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

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Taken next out of order --

21. ADDENDUM MATTERS:

21a. PROCLAMATION proclaiming December 1 through 6, 1987, as "Peace Corps Week."

SO PROCLAIMED by Mayor Geissert.

This proclamation was accepted by Pamela Popovich, and Beverly and Paul Sincoch, representing the Peace Corps.

The regular agenda order was resumed at this time.

13. ENVIRONMENTAL/BUILDING AND SAFETY MATTERS:

13a. SMOKING REGULATING ORDINANCE:

Building and Safety Director Grippo noted that the subject ordinance (No. 3210) has been returned to Council for a second first reading, the document now containing all modifications requested by Council on November 17.

Mr. Grippo also called attention to supplementary material on this agenda item which contains a corrected Page 4 of the ordinance.

Clarification, as requested, was then provided by the Building and Safety Director regarding public notification and education with regard to the ordinance, and interpretation of the requirement for annual communication to employees.

ORDINANCE NO. 3210

AN ORDINANCE OF THE CITY COUNCIL OF THE  
CITY OF TORRANCE, CALIFORNIA ADDING  
ARTICLE 15 TO CHAPTER 5 OF DIVISION 4  
OF THE TORRANCE MUNICIPAL CODE REGULATING  
SMOKING IN DESIGNATED ENCLOSED PUBLIC  
PLACES AND WORKPLACES

MOTION: Councilman Nakano moved to approve Ordinance No. 3210, with modifications, at its second first reading. His motion was seconded by Councilwoman Hardison, and roll call vote was unanimously favorable.

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13b. RECYCLING FACILITIES:

MOTION: Councilman Applegate moved to continue Agenda Item 13b to the City Council meeting of December 8, 1987, at 7:00 p.m. His motion, seconded by Councilman Nakano, carried unanimously by roll call vote.

15. HEARINGS:

15a. EA 87-2, CUP 87-9: THOMAS K. FITZPATRICK:

Mayor Geissert announced that this was the time and place for Council consideration of a Councilmanic appeal to allow review of environmental issues contained in two special studies requested by the Environmental Review Board when recommending a Negative Declaration for the proposed five-story (Hampton Inn) Hotel at the southeast corner of Los Codona Avenue and 238th Street. EA 87-2, CUP 87-9: THOMAS K. FITZPATRICK.

Proof of publication was provided by the City Clerk and it was filed without objection.

Staff presentation was provided by Principal Planner Woodward, who noted that the Environmental Review Board and the Planning Department recommend that the appeal be denied and that the Negative Declaration be allowed to stand.

There was review of the Traffic Impact Study and interpretation of its findings by Associate Transportation Engineer Vance and by Mr. Charles Olmquist, of Mohle, Grover and Associates, preparer of the report.

Audience comments were then invited by the Mayor.

Speakers were --

Ms. Karen Ohrenberger, 23327 Audrey Avenue, President of Arnold Elementary School PTA, expressed concerns regarding increased traffic on Ocean Avenue, an already busy residential street.

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Ms. Gail Bedinger, 4011 232nd Street, requested that the Council consider the cumulative effect on Ocean Avenue of three new major developments in the area -- Meadow Park property, the subject hotel, and the shopping center at Pacific Coast Highway and Ocean.

The negative traffic impact on Ocean and on 234th Street as a result of the proposed hotel was addressed by Ms. Bedinger, who also pointed out that signalization of Ocean and Pacific Coast Highway will negatively impact Ocean.

This speaker next addressed the matter of the height of the proposed hotel structure, deeming it out of keeping with the neighborhood, and questioning the possibility of a problem as it relates to the nearby Torrance Airport. Ms. Bedinger suggested that apartments or condominiums would be more suitable for the area. Loss of the existing large eucalyptus trees was also of concern to her.

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Mr. Edward Wooley, 23207 Ocean Avenue, speaking on behalf of the Southwood Riviera Homeowners Association, urged that the Council consider the question of adequacy of the Traffic Report submitted.

Cumulative impacts were of particular concern to Mr. Wooley, who urged that the Council take whatever time needed for an in-depth review from that standpoint.

At the request of Mayor Geissert, City Attorney Remel-meyer explained the significance of the one-year statute (as referenced in staff's written report of record) which dictates that if action is not taken during that time the project, by law, is deemed approved. Mr. Remelmeyer advised that if there is a problem that the Council feels should be resolved, the Council should ask the proponent if he would consent to a continuance of the matter.

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Ms. Pamela McIntyre, 3910 West 234th Street, expressed her opinion that CEQA guidelines require that an Environmental Impact Report be prepared for this proposal inasmuch as the cumulative impact must be addressed.

Ms. McIntyre questioned the viability and source of the figures on Page 9 of the Traffic Report, and offered the following specific observations.

- Percentages on southbound Hawthorne Boulevard do not add up;
- Five percent (southbound) on Ocean Avenue is totally misleading;
- Translation of some of the percentages into trips into the neighborhoods would represent an impact which should be addressed.
- The projection of a one-percent traffic increase on Hawthorne Boulevard for the next ten years is in conflict with the 6.7% increase accepted in the Oxford Properties' EIR.
- An EIR would require the City to address, in writing, concerns and information from citizens.

At the direction of Mayor Geissert, City Attorney Remelmeyer addressed the question of the possibility of requiring a full Environmental Impact Report at this time. Mr. Remelmeyer stated that the City Council, under the law, would be permitted to require an EIR at any time before it makes a decision in the matter. However, under the rules of the Council, the issue cannot be reopened unless a Councilmember who voted with the prevailing side were to change his vote, Mr. Remelmeyer noted, and the problem of the one-year statute would then have to be addressed.

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Mr. Stanford Orfila, 23204 Ocean Avenue, stated his opinion that the report fails to take into account that those who frequent the hotel on a regular basis (employees and those who attend meetings, etc.) will probably attempt to avoid the congestion on Hawthorne Boulevard and Pacific Coast Highway, and will likely use Ocean Avenue much more frequently than indicated in the report. Careful consideration was urged by this speaker.

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Mr. Ron Kita, residing near the intersection of 234th and Ocean, noted an increase in traffic accidents in the area and expressed his opinion that traffic will be intensified on Ocean Avenue and Lomita Boulevard as a result of the subject development.

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Mr. Wooley, Mr. Orfila, and Ms. McIntyre returned to request and receive additional information; to stress the severity of the traffic situation; and to recommend delay, if legally possible. Ms. McIntyre stressed her concerns regarding the legality of a traffic study being a substitute for an actual Environmental Impact Report.

A brief staff/Council discussion ensued which involved consideration of the various options available.

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Ms. Judith D. Spires, 23208 Ocean Avenue, recommended that consideration be given to closing off Ocean Avenue.

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The proponent, Mr. Tom Fitzpatrick, 4111 Paseo de las Tortugas, reviewed the history of his 20-year ownership of the subject commercially zoned property. Mr. Fitzpatrick stated that he would be willing to block off access to Ocean Avenue from his proposed hotel, should the City so desire, and he also pointed out that a residential development on the subject site would result in an increased parking problem for the neighborhood.

\* \* \*

There being no one else in the audience who wished to speak at this time, Councilman Walker moved to close the hearing. His motion was seconded by Councilwoman Hardison, and roll call vote was unanimously favorable.

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Councilman Walker noted his preference for an expanded Traffic Study, with citizen input at this meeting to be made part of the documentation, and with the matter to be submitted to the Planning Commission and subsequently to the Council as quickly as possible.

MOTION: Councilman Walker moved to concur with the Environmental Review Board recommendation and that the City Council direct staff and the consultant to provide to the Planning Commission an expanded study bringing forth the information recommended this evening.

The above motion DIED FOR LACK OF A SECOND.

The extreme importance of adequately addressing the environmental issues related to development of the subject site was emphasized by Councilwoman Hardison.

A lengthy discussion ensued during which the following areas of concern were brought out by individual Councilmembers --

- Relationship of 234th and Ocean intersection to the subject development;
- Cumulative impact of future projects in the area, particularly including the Meadow Park School site;
- Traffic impact on 234th Street, including Arnold Elementary School and Safe School Routes in the area;
- Alternative uses allowed in the C-5 Zone and resultant traffic impacts (worse case and least case scenarios);
- Impact of signalization on Ocean and Pacific Coast Highway (opposed by City but favored by CalTrans) and possible mitigating measures;
- Impact of development of former Panache site (Ocean and Pacific Coast Highway);
- Effect of blocking 238th Street (a possibility suggested by the proponent);

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- Market Analysis information, if available;
- Information from FAA as related to hotel project.

Time factor considerations were also addressed during the above discussion. Associate Transportation Engineer Vance indicated that a report addressing Council concerns could be returned in 30 days.

City Attorney Remelmeyer suggested that if the Council does not wish to move forward with the project until the concerns are addressed, the proponent should be approached regarding waiving the one-year statute so that the information desired can be developed.

In order to allow the proponent the opportunity to address that question, the hearing was REOPENED upon a motion by Councilman Wirth; seconded by Councilwoman Hardison and carried by unanimous roll call vote.

Mr. Fitzpatrick returned to the podium and indicated his willingness to grant a three-month extension of time [making it a total of 15 months, rather than the 12 months specified in the statute].

Associate Transportation Engineer Vance agreed that the three months is a reasonable time frame [with 30 days for return of the requested information to Council].

Councilman Wirth then MOVED TO RECLOSE the hearing. This motion, seconded by Councilwoman Hardison, carried unanimously by roll call vote.

MOTION: Councilwoman Hardison moved to hold Agenda Item 15a [EA 87-2, CUP 87-9, THOMAS K. FITZPATRICK] to the City Council meeting of January 5, 1988, a 5:30 p.m. meeting. Her motion was seconded by Councilman Wirth and roll call vote proved unanimously favorable.

Following roll call vote, Councilman Wirth requested that the hearing on this item be held at 7:00 p.m. or later on January 5th. There was no objection and it was so ordered.

Planning Director Ferren advised that there will be no further notification.

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Mayor Geissert called a recess at 8:50 p.m. The Council returned at 9:10 p.m. to continue its regular agenda order.

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15b. CUP 87-34: L A AMUSEMENT CORPORATION:

Mayor Geissert announced that this was the time and place for City Council consideration of an applicant appeal of a Planning Commission denial of a Conditional Use Permit to allow a video game center, holding 50 games, in the basement of the Sears store in Del Amo Fashion Center in the C-3 Zone at 22100 Hawthorne Boulevard. CUP 87-34: L A AMUSEMENT CORPORATION.

Proof of publication was provided by the City Clerk and it was filed without objection.

Staff presentation was provided by Principal Planner Gibson who pointed out that the Planning Commission and Planning Department recommend denial of the appeal and denial of the request.

The Mayor then invited the proponent to speak.

Mr. Larry Stearn, 9301 Tampa Avenue, Northridge, was present to represent L A Amusement Corporation. Mr. Stearn noted that there have been no problems connected with their other two operations which are identical in nature with the subject proposal. Favorable consideration was requested.

Mr. Ronald Dalesherder, 22100 Hawthorne Boulevard, Manager of the Del Amo Sears store, reviewed security and supervisory provisions proposed and deemed the subject use to be compatible with the area in which it would be located.

Mr. Louis Senn, 10150 Havenhurst, Granada Hills, representing Golden Pacific Associates, manager of all of the vending programs for Sears, recalled the past success of amusement games in the Sears stores, and urged approval by the Council.

There being no further audience comments, Councilman Mock moved to close the hearing. His motion was seconded by Councilman Applegate, and roll call vote was unanimously favorable.

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During the ensuing Council discussion, the importance of protecting the current upscale, high quality mall atmosphere was generally acknowledged and, while not questioning the integrity of the applicant in this case, concerns regarding any erosion of the present standards of this retail activity.

The following motion was offered.

MOTION: Councilman Applegate moved to deny the appeal and concur with the Planning Department and Planning Commission on CUP 87-34, L A AMUSEMENT CORPORATION. His motion was seconded by Councilman Mock, and roll call vote was unanimously favorable.

17. ADMINISTRATIVE MATTERS:

17a. EXECUTIVE SESSION:

See Pages 14 and 15.

18. SECOND READING ORDINANCES:

18a. ORDINANCE NO. 3211:

ORDINANCE 3211

AN ORDINANCE OF THE CITY COUNCIL OF THE  
CITY OF TORRANCE, CALIFORNIA ADDING  
ARTICLE 16 OF CHAPTER 5 OF DIVISION 4  
TO THE TORRANCE MUNICIPAL CODE RELATING  
TO ALCOHOLIC BEVERAGE WARNING SIGNS FOR  
PREGNANT WOMEN

MOTION: Councilman Nakano moved to adopt Ordinance 3211 at its second and final reading. His motion, seconded by Councilman Walker, carried unanimously by roll call vote.

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18b. ORDINANCE NO. 3212:

ORDINANCE NO. 3212

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, AMENDING DIVISION 9 OR THE TORRANCE MUNICIPAL CODE TO RECLASSIFY THAT CERTAIN PROPERTY WHICH IS LOCATED AT 3828 DEL AMO BOULEVARD AND 3915 SPENCER STREET FROM PU (PUBLIC USE) TO ML (M1-PP) (LIMITED MANUFACTURING WITH A LIGHT MANUFACTURING PRECISE PLAN OVERLAY) ZC 87-5: KARL FECHNER ENTERPRISES, INC.

MOTION: Councilman Nakano moved to adopt Ordinance No. 3212 at its second and final reading. This motion was seconded by Councilman Walker, and roll call vote was unanimously favorable.

20. CONSENT CALENDAR:

- 20a. COUNCIL AWARD OF CONTRACT: To provide all equipment, materials and labor required to completely remove City trees and/or stumps in incremental releases. Ref: Bid No. B87-78  
Anticipated Expenditure: \$39,750.00.

RECOMMENDATION:

The Purchasing Division recommends that your Honorable Body authorize the award of a contract to provide all equipment, materials and labor required to completely remove City trees and/or tree stumps in incremental releases to the low responsible bidder, Parker Tree Service, Inc. of Torrance, California in the anticipated expenditure amount of \$39,750.00.

- 20b. COUNCIL AWARD OF CONTRACT - Re: Purchase of three (3) budgeted replacement used "Special Use" vehicles. Expenditure: \$20,157.36.

RECOMMENDATION:

The Purchasing Division recommends that your Honorable Body approve the purchase of the "special use" vehicles from Hertz Corporation of Los Angeles, California in the total amount of \$20,157.36 including tax.

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MOTION: Councilman Applegate moved to concur with staff recommendations on Agenda Items 20a and 20b. His motion, seconded by Councilman Wirth, carried unanimously by roll call vote.

Councilwoman Hardison requested that she be provided with scheduling information regarding the above noted tree removal (Item 20b). Staff to follow through.

21. ADDENDUM MATTERS:

21a. See Page 3.

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At 9:36 p.m., the City Council met in joint session with the Redevelopment Agency of the City of Torrance, returning to the Council agenda at 9:37 p.m., but remaining in joint session for purposes of a joint executive session to be held later in the meeting (see Pages 14 and 15).

\* \* \*

22. ORAL COMMUNICATIONS:

22a. See Page 2.

22b. City Manager Jackson expressed sincere pride in the organization exemplified by the City's forces during emergency situations such as the one faced at Mobil Oil this evening. The prompt response of all emergency personnel including Police, Fire, Street, etc. was lauded by Mr. Jackson. Specific note of the exemplary action of Mr. Bill Schultz, Department of Transportation, in erecting barricades was voiced by Mr. Jackson.

22c. Acting Parks and Recreation Director Hoffman announced the eighth annual "Harry Sutter Turkey Trot" to be held on Thanksgiving morning.

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22d. Councilman Applegate praised the prompt action of Van Lingen's Towing Service for assisting in blocking streets at strategic locations in the very early stages of the Mobil event.

22e. Councilman Applegate described awards and events connected with the 3.1-mile run on Thanksgiving morning (see 22c, above), and extended best wishes for a Happy Holiday to all.

22f. Councilwoman Hardison expressed appreciation to Cable Television Administrator Carter for the video on water quality and usage.

22g. Councilwoman Hardison reported that a large crane connected with the Oxford Company construction project was observed to be left hanging over Hawthorne Boulevard. Building and Safety Director Grippo advised that staff will look into the matter.

22h. Councilman Mock congratulated City Attorney Remelmeyer on his election to the Board of Directors of the South Bay Bar Association.

22i. Mayor Geissert congratulated Councilwoman Hardison on being designated to receive the California School Association's Golden Bell Award for special education programming.

22j. Mayor Geissert congratulated Police and Fire and all participating entities for their response to the Mobil emergency this date, noting that the latest report indicates the fire is now contained.

The Council now returned to --

17a. EXECUTIVE SESSION:

The City Council/Redevelopment Agency having remained in joint session (see Page 13), Mayor/Chairwoman Geissert read the following statement into the record.

The City Council will now recess to closed session to confer with the City Manager regarding salaries, salary schedules and compensation for certain represented

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employee groups. Authority for holding an executive session for this purpose is contained in the provisions of Government Code Section 54957.6 (a) .

The Council will also give instruction to the City Manager concerning the renegotiation of the lease of City owned property to Paragon Cable. Authority for holding an executive session for this purpose is contained in Government Code Section 54956.8.

The Council will receive advice from the City Attorney regarding potential litigation arising from the widening of Torrance Boulevard, property located at 1889 Torrance Boulevard. Authority for holding an executive session for this purpose is contained in Government Code Section 54956.9 (b) .

The City Council, acting as the Redevelopment Agency of the City of Torrance, will receive advice from the Agency's Counsel regarding potential litigation with Mobil Oil Company arising from the subsurface contamination of the 25+ Acre Redevelopment site east of Van Ness Boulevard and north of Torrance Boulevard. Authority for holding an executive session for this purpose is contained in Government Code Section 54956.9 (b) .

The City Council, acting as the Redevelopment Agency, will also confer with the Agency's Counsel regarding potential litigation stemming from the owner participation agreement with Gascon-Mar, Ltd. Authority for

holding an executive session for this purpose is contained in Government Code Section 54956.9 (b) .

Councilman Walker announced that, inasmuch as he is a member of the Los Angeles Regional Water Quality Control Board, he will abstain in discussion and consideration of the Mobil Oil Company matter and will absent himself from the meeting room during that period of time.

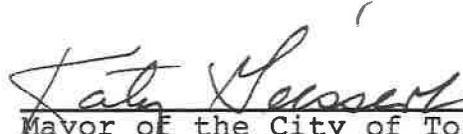
At 9:50 p.m., the City Council/Redevelopment Agency recessed to joint executive session, returning at 10:57 p.m.

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23. ADJOURNMENT:

23a. No action was required as a result of the executive session, and the joint meeting was formally adjourned (at 10:57 p.m.) to Tuesday, December 1, 1987, 5:30 p.m.

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Mayor of the City of Torrance

  
Clerk of the City of Torrance

Peggy Laverty  
Minute Secretary

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