

I N D E XCouncil Meeting held July 7, 1964, 4:30 p.m.

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Edith Shaffer
Minute Secretary

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Council Minutes
July 7, 1964

Torrance, California
July 7, 1964

**MINUTES OF A REGULARLY ADJOURNED
MEETING OF THE TORRANCE CITY COUNCIL**

OPENING CEREMONIES AND PRESENTATIONS:

1. Call Meeting to Order:

A regularly adjourned meeting of the Torrance City Council was held on Tuesday, July 7, 1964 at 4:30 p.m., in the Council Chambers of City Hall.

2. ROLL CALL:

Those responding to roll call by City Clerk Coil were:
COUNCILMEN: Beasley, Lyman, Miller, Olson, Sciarrotta, Vico, and Mayor Isen. City Manager Ferraro and City Attorney Remelmeyer were also present.

3. FLAG SALUTE:

At the request of Mayor Isen, Chief of Police Koenig led the salute to the flag.

4. INVOCATION:

The Reverend Clifford L. Tierney, South Bay Church of God, opened the meeting with an invocation.

STANDARD MOTIONS:

5. APPROVAL OF MINUTES:

On motion of Councilman Sciarrotta, seconded by Councilman Vico, the minutes of the regular meeting held June 23rd were approved as written.

6. APPROVAL OF DEMANDS:

Councilman Beasley moved all regularly audited demands be approved. His motion was seconded by Councilman Sciarrotta and carried as follows:

AYES: COUNCILMEN: Beasley, Lyman, Miller, Olson,
Sciarrotta, Vico, and Mayor Isen.
NOES: COUNCILMEN: None.

7. MOTION TO WAIVE FURTHER READING:

Councilman Sciarrotta moved that after the Clerk has given a number and read title to any resolution or ordinance on tonight's agenda, the further reading thereof be waived, reserving and guaranteeing to each councilman the right to demand the reading of any such resolution or ordinance in regular order. The motion was seconded by Councilman Vico and carried by unanimous roll call vote.

HEARINGS:

8. Lt. Donald S. Hamilton (Resubmitted)

City Attorney submitting Opinion No. 64-23 re reviewing power of Council regarding ruling of Civil Service Commission. Transcript of hearing on this case was submitted to Council with agenda of June 16, 1964.

Mayor Isen announced the purpose of calling this meeting for 4:30 p.m. instead of the usual time, 5:30, was to hear the Hamilton matter, as a quasi judicial hearing. This is the time and place for this Council to consider the matter which has come from the Civil Service Commission and render a decision.

Walter N. Anderson, Attorney for Lt. Hamilton, asked and was granted permission to make a few remarks on the transcript. He expressed appreciation of the time given by the Councilmen and said he assumed they had read the transcript. Only three of the Civil Service Commission heard the case and he referred to his objection to that at an earlier time. Mr. Anderson again went over the events of the year and assuming, but specifically not admitting that Mr. Hamilton did not tell the truth, there was nothing to indicate he performed any act detrimental to the Torrance Police Department or the City of Torrance. His testimony there was not an act in connection with his regular duties as a police officer. In fact, he demonstrated, as any good police officer should, loyalty to his Chief, Mr. Anderson said.

Neither the District Attorney's office nor the office of the Attorney General recommended any suspension, discharge, or any type of disciplinary action against Lt. Hamilton. Mr. Anderson called attention then to the sixteen years of unblemished record established by Lt. Hamilton, including eight years in charge of the detective bureau. He has undergone the embarrassment of long suspension.

In conclusion, Mr. Anderson, respectfully requested that the charges heretofore brought and the charges as to Count III be dismissed.

Councilman Miller said careful study of the transcript had convinced him that there was reasonable doubt as to Lt. Hamilton's guilt and moved to refuse to consent to the Civil Service Commission's findings and find Lt. Hamilton not guilty on Count III nor on any count, in which event Lt. Hamilton would not be suspended at all. Mayor Isen seconded. At the request of Councilman Beasley, it was noted by Councilman Miller and Mayor Isen that the intent of their motion is to wipe out the thirty-day suspension against Lt. Hamilton together with any guilt on any count.

Councilman Sciarrotta pointed out that Lt. Hamilton went to see Deputy District Attorney Vega to get either a rejection or a complaint, although he had a confession of Sgt Walker in his hands at the time. Under these circumstances, why should he ask for a rejection? He felt the Council should uphold the findings of the Civil Service Commission and failure to do so might encourage laxity. He stated his mind was open if someone could explain these discrepancies. Mr. Anderson explained the intricacies of the law and procedures regarding confessions and arrest reports. Also involved is the difference between misdemeanor complaints and felony complaints, and the possibility of there having been some promise of immunity.

Councilman Beasley spoke of the human relationships and factors of the case as contrasted with the political phases of this whole investigation.

Councilman Lyman said in every case which he has come in contact with, there is a matter of deciding who is telling the truth as between a police officer and a defendant.

Roll call vote was:

AYES: COUNCILMEN: Beasley, Miller, Olson, Sciarrotta,
Vico, and Mayor Isen.

NOES: COUNCILMEN: Lyman.

Before voting, Councilman Olson made a statement that he had spent more time on this item, than on any which has appeared since his membership in the Council. Based on reading, re-reading and studying the transcript, talking with many persons, etc., he said he finds no preponderance of evidence of guilt. He felt also that Lt. Hamilton and his family had suffered sufficiently.

Councilman Sciarrotta said the explanation given him had cleared his doubt.

Mayor Isen announced a recess in proceedings for ten minutes, bearing in mind the hearings which have been advertised for the 5:30 hour.

The Council reconvened before the hour of 5:30 and Mayor Isen gave a brief explanation of Council procedure for the benefit of the audience and asked consideration of several items prior to the time for the hearings on the agenda.

16. ACCEPTANCE OF FUTURE STREETS:

City Engineer, with concurrence of City Manager, submitting for approval and adoption Resolution accepting for dedication for street purposes Lots 40, 41 and 42, Tract No. 25311, and naming all such accepted lots 178th Street.

Councilman Sciarrotta moved to concur and his motion was seconded by Councilman Miller. There was no objection.

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

RESOLUTION NO. 64-135

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE ACCEPTING FOR DEDICATION FOR STREET PURPOSES LOTS 40, 41 and 42, TRACT NO. 25311, AND NAMING ALL SUCH ACCEPTED LOTS 178TH STREET.

Councilman Sciarrotta moved to adopt Resolution No. 64-135 and his motion, seconded by Councilman Beasley, carried by unanimous roll call vote.

17. EXPENDITURE FROM DRAINAGE DISTRICT 7-A ACCOUNT. Recommendation of City Engineer, with concurrence of City Manager, that \$45,000 be appropriated from Drainage District 7-A Account for construction of storm drains within the Drainage District.

Councilman Miller moved to concur in the recommendation and his motion, seconded by Councilman Vico, carried as follows:

**AYES: COUNCILMEN: Beasley, Lyman, Miller, Olson,
Sciarrotta, Vico, and Mayor Isen.**
NOES: COUNCILMEN: None.

18. EXPENDITURE FROM SEWER REVOLVING FUND: Recommendation of City Engineer, with concurrence of City Manager, (1) that \$12,000 be appropriated from the Sewer Revolving Fund for the construction of sanitary sewers in alleys between Crenshaw Place, Crenshaw Boulevard and 190th Street, as shown on sketch.

Councilman Miller moved concurrence in the recommendation and his motion, seconded by Councilman Sciarrotta, carried by the following roll call vote:

**AYES: COUNCILMEN: Beasley, Lyman, Miller, Olson,
Sciarrotta, Vico, and Mayor Isen.**
NOES: COUNCILMEN: None.

19. EXPENDITURE FROM SEWER REVOLVING FUND - REQUEST TO CALL FOR INFORMAL BIDS. Recommendations from City Engineer, with concurrence of City Manager, (1) that \$1,300 be appropriated for sanitary sewer construction in an easement southerly of Redondo Beach Boulevard and easterly of Van Ness Avenue; (2) that \$1,000 be appropriated for sanitary sewer construction in Maricopa Street easterly of Amie Avenue; and (3) that informal bidding procedure be authorized on each of the above projects.

Councilman Sciarrotta moved to concur in the recommendation and his motion, seconded by Councilman Vico, carried as follows:

AYES: COUNCILMEN: Beasley, Lyman, Miller, Olson,
Sciarrotta, Vico and Mayor Isen.

NOES: COUNCILMEN: None.

20. PROPOSED 1964 COUNTY-WIDE STORM DRAIN BOND ISSUE - CITY OF TORRANCE PROJECTS AND EFFECT OF PROPOSED BOND ISSUE ON PLANS FOR DRAINAGE DISTRICTS 8-A, 8-B, 8-C, and 5-E. Recommendations from City Engineer, with concurrence of City Manager, as follows: (1) that the storm drains shown on accompanying maps be approved as the City's proposed 1964 Storm Drain Bond Issue projects, and (2) that the approach to the solution of the drainage problems within subject drainage districts be modified as explained in letter of transmittal.

Councilman Beasley complimented the Engineering Department on drafting this project. Mayor Isen commented that the balance of the Council agrees.

Councilman Beasley moved to concur in the recommendations as set forth and his motion, seconded by Councilman Sciarrotta carried as follows:

AYES: COUNCILMEN: Beasley, Lyman, Miller, Olson,
Sciarrotta, Vico, and Mayor Isen.

NOES: COUNCILMEN: None.

22. COMPLETION OF PUBLIC ADDRESS AND BACKGROUND MUSIC SYSTEM - JOSLYN RECREATION CENTER. Recommendation of City Manager that subject work be accepted and payment authorized.

Councilman Miller moved to concur and his motion, seconded by Councilman Vico, carried as follows:

AYES: COUNCILMEN: Beasley, Lyman, Miller, Olson,
Sciarrotta, Vico, and Mayor Isen.

NOES: COUNCILMEN: None.

23. COMMUNICATION FROM CITY MANAGER REGARDING POLICE FACILITIES EXPANSION.

The recommendation is that the Council accept the proposal letter of Koebig and Koebig and a new contract be prepared for the construction of approximately 3,400 square feet of basement and 4,900 square feet of floor level for a total fee of \$17,200. Further, that the existing contract for the emergency operating center be declared closed and the \$2,600 be accepted as credit due the city for the uncompleted work of said contract.

Councilman Beasley moved to concur in the recommendation. Councilman Miller seconded the motion which carried as follows:

AYES: COUNCILMEN: Beasley, Lyman, Miller, Olson,
Sciarrotta, Vico, and Mayor Isen.

NOES: COUNCILMEN: None.

FISCAL MATTERS:

25. CLAIM submitted by Anna Gibson for personal injuries allegedly sustained on May 22, 1964 when she fell by reason of an unsafe water meter cover, in the vicinity of 1908 Cabrillo Avenue.

Councilman Sciarrotta moved to deny and refer to the Legal Department. His motion was seconded by Councilman Vico and there was no objection.

26. PURCHASE OF GASOLINE - SHELL OIL COMPANY. Transmittal by City Clerk of Cooperative Agreement with Los Angeles County for purchase of bulk gasoline, Shell Oil Company, vendor.

Councilman Beasley moved to concur in the recommendation as set forth, to accept the agreement. His motion was seconded by Councilman Sciarrotta and carried by unanimous roll call vote.

27. City Manager submitting for approval and adoption resolution amending Resolution No. 64-122 to provide additional salary for certain positions.

Councilman Sciarrotta moved to concur and his motion was seconded by Councilman Beasley. There were no objections.

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

RESOLUTION NO. 64-136

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING RESOLUTION NO. 64-122 TO PROVIDE ADDITIONAL SALARY FOR CERTAIN POSITIONS.

Councilman Sciarrotta moved to adopt Resolution No. 64-136 and his motion, seconded by Councilman Vico, carried by unanimous roll call vote.

28. City Manager submitting for approval and adoption Resolution establishing engineering plan check fees from private land developers for street improvements, sanitary sewers and storm drains.

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

RESOLUTION NO. 64-137

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE ESTABLISHING ENGINEERING PLAN CHECK FEES FROM PRIVATE LAND DEVELOPERS FOR STREET IMPROVEMENTS, SANITARY SEWERS AND STORM DRAINS.

Councilman Miller moved to adopt Resolution No. 64-137 and his motion, seconded by Councilman Vico, carried by unanimous roll call vote.

City Manager Ferraro asked for a day or grace to prepare some signs and operational devices to implement the change of fees. The date was set as July 9, 1964 at the start of the business day, for the resolution's provisions to go into effect. On motion of Councilman Olson, seconded by Councilman Lyman, July 9, 1964 was approved, there being no objection.

29. SALE OF OBSOLETE PERSONAL PROPERTY. City Attorney submitting for approval at first reading Ordinance providing for sale of obsolete personal property.

City Manager Ferraro explained scrap metal, old machinery, parts of vehicles and equipment compose the surplus obsolete personal property.

At the request of Mayor Isen, City Clerk Coil assigned a number and presented for first reading, Ordinance:

ORDINANCE NO. 1506

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING CHAPTER 10 OF "THE CODE OF THE CITY OF TORRANCE, 1954" ENTITLED FINANCE AND TAXATION TO ADD TO SAID CHAPTER ARTICLE IV PROVIDING FOR THE SALE OF OBSOLETE PERSONAL PROPERTY.

Councilman Beasley moved to approve Ordinance No. 1506 at its first reading. His motion was seconded by Councilman Vico and carried by unanimous roll call vote.

30. BID - FURNISHING SWIMMING POOL CHEMICALS FOR FISCAL YEAR 1964-65. Director of Recreation, with concurrence of City Manager, recommending bid of Jones Chemical Co. on Items 1, 4 and 5 and bid of General Pool Supply Co. on Items 2 and 3 be accepted as the lowest and best bids in the amounts of \$2,082.25 and \$128.50 respectively.

Councilman Sciarrotta moved to concur in the recommendation set forth and his motion, seconded by Councilman Miller, carried by unanimous roll call vote.

31. BID - FURNISHING THE RECREATION DEPT WITH SPORTING GOODS EQUIPMENT FOR FISCAL YEAR 1964-65. Director of Recreation, with concurrence of City Manager, recommending bid of Torrance Cycle and Sports Shop on certain items be accepted as the lowest and best bid; and recommending the bid of Hammatt & Sons on certain items be accepted as the lowest and best bid, as set forth in the communication fo the Council from the Director of Recreation, dated June 30, 1964.

Councilman Sciarrotta moved to concur in the recommendation set forth and his motion was seconded by Councilman Miller. All other bids are to be rejected on both items 30 and 31. Roll call vote was unanimously favorable.

* * * * *

The hour of 5:30 having arrived, Mayor Isen announced the public hearings would be next considered.

HEARINGS - PLANNING AND ZONING:

9. CASE NO. 64-55 - VARIANCE - VICTOR I. HETZEL. Formal hearing on a variance to construct a three-unit apartment building in R-2 Zone (two family residential district); on property located 150 feet northerly of easterly 50 feet of westerly 100 feet of Lot 1, Block 14, Tract 2761 on Carson Street between Fern and Greenwood Avenues. Recommended for denial.

The proponent, Victor I. Hetzel of 20821 Amie Avenue, said his application requests the permit to construct a third unit on currently authorized two dwelling R-2 property. Each unit would require a lot density of 2300 square feet and he called attention to the plans for his proposed structure as being in harmony with the surrounding homes. One unit is planned as a 1700 square foot four bedroom home to be occupied by himself and family, and two 2-bedroom studio apartments with enclosed stairways, for rental. Also five garages to preclude any off-lot parking. It will be necessary for him to dedicate 10 feet along the front of his property for the widening of Carson, at a cost of around \$1,000. He described in detail the types of property development around his own and stated the multiple units are constructed on R-2 zoned property, the area containing from six to 76-unit apartment houses, between Crenshaw and Maple on Carson. In addition there are two service stations, a fire station, a manufacturing plant and a food market all existing on R-2 property. He felt this proves that approval of his petition for variance would not set any precedent which does not already exist.

He has spent the past three weekends discussing his plans with each of the property owners and feels the reaction to his proposed structure is good. Mr. Hetzel had for submission a petition bearing signatures of 47 property owners and he read the body of the petition aloud. He said he would plan to live on the property; he is not a speculator; but he does not want to leave his property idle until Carson develops one way or another. He has resided in Torrance for fifteen years and wishes to move his family into this new home on Carson. He purchased the property in mid-January of this year, and was not aware of the previous attempt to change the zone along Carson - although he is now, through talking with 95 property owners. Mr. Hetzel believes the strong rejection of the previous attempt was due to the proposal to rezone on Carson between Crenshaw and Maple, R-3 to extend 250 feet back, implying parking on the side streets.

Councilman Miller explained it would probably be best to make the change as a unit, all along the street, rather than piecemeal. It might be a sacrifice of valuable property to develop this land with the type of units Mr. Hetzel plans, because of the future value of the land itself.

Councilman Olson suggested comment from either Planning Director Shartle, or the President of the Planning Commission, David Halstead. Mr. Shartle said the staff viewpoint is well set out in the agenda material.

City Clerk Coil said he had one card indicating approval, from Mrs. Stewart of 2666 West Carson. Mrs. Stewart was in the audience and expressed approval, in view of the improvement it would make to the appearance of the street. She lives at the corner of Carson and Greenwood and would also like to start over on her corner. There are no sidewalks, chuckholes in the street, no street cleaning; she thought it would be great to have something nice in this area.

There appearing no one else to speak, the hearing was ordered closed.

City Attorney Remelmeyer prefaced his remarks by saying he had never seen fit to make such a statement before, but it would prima facie appear to him that granting this variance would be illegal. He said this would appear to him to be almost the classic example of "spot zoning" in that there is no differentiation between this property and the property in the vicinity on which a rezoning was denied. The grounds for a variance are basically that of hardship

There must be some difference which would justify the Council in making an exception for the particular applicant. He said if there is any change in zoning, it would have to be by change of zone, rather than variance because of the failure to differentiate. Mr. Remelmeyer thought if the case were taken to court such a variance could be invalidated. Mayor Isen did not agree with the City Attorney, stating the Council has granted many variances in similar situations.

City Attorney Remelmeyer stated a variance is something more than a substitution for a change of zone - it is supposed to be a case involving hardship. The Council has been very liberal in its variance procedure and it is difficult to say that attitude has been illegal, but a variance is not a substitute for a change of zone and it is not to be used unless there is something peculiar to the particular property which differentiates it from property in a similar class. Prima facie, he said, that differentiation does not here appear.

Councilman Olson moved to concur in the recommendation of the Planning Commission and Planning Department in denying this variance. Councilman Vico seconded the motion and it carried by unanimous roll call vote.

Mayor Isen said his vote was reluctant and asked the City Attorney for his law on the statement made.

Councilman Lyman at one time lived on this street and said he can understand that the property owners would like to see the street properly developed. Mr. Shartle said the required six months have elapsed and a new zone change application could be initiated.

Councilman Beasley agreed with the reasoning of Mr. Hetzel that the people on the side streets have nice new homes and do not want them devaluated by apartments backing from Carson Street. Mr. Shartle said the intent had been to include only those facing Carson but a 250 foot maximum was advertised.

City Manager Ferraro asked if the Council wishes another zone change initiation on something less than 250 feet. Councilman Miller asked if some such zone change might be asked by Mr. Hetzel but Mr. Hetzel said the Council has acted on the only request he intends to make. He left the Council Chamber.

Mrs. Hetzel said her husband is upset because the Council has refused something which he believes everyone in the area wants. She believes some kind of study of Carson should be made. At the present time there is a scare rumor that the Planning Commission plans to rezone so many blocks in each direction - or nothing.

Councilman Vico expressed the hope for a master plan and Councilman Beasley suggested that Mr. Hetzel take his petition, or list, to the Planning Department office and let the Planning Commission, on its motion, authorize a zone change proceeding. A subcommittee of the Commission could be appointed to study this area and learn the wishes of the people.

President Halstead of the Planning Commission stated in clarification, that there are some properties 250 feet deep facing Carson and the people across the side streets would face the apartment houses. Some lots are 50 feet deep, while some are 250 feet. Mayor Isen said there should be some clarification and he thought Councilman Beasley's suggestion good.

10. CASE NO. 64-58 - VARIANCE - SCOTT ROBINSON PONTIAC, INC., 20340 Hawthorne Avenue. Formal hearing on a variance to permit the storage of automobiles on a portion of Lot 47, Tract 3458, Zone R-1, being the southerly 153.72 feet of the northerly 430.66 feet of the westerly 128 feet of said lot. Recommended for approval.

Mrs. Shirley Jenson asked a question regarding the zoning of Gilbert Sellan's land which was answered by Planning Director Shartle.

On motion of Councilman Vico, seconded by Councilman Beasley, the hearing was ordered closed, there being no objection.

Councilman Sciarrotta moved to concur in the recommendation of approval of the variance and Councilman Vico seconded. Roll call vote was unanimously favorable.

12. CASE NO. 64-52 - CHANGE OF ZONE - ADCO DEVELOPMENT CO. (JIM THOMPSON) Third and final hearing for a change of zone from A-1 & M-2 to R-3 (PD) on portion of Lot 69 and Lot 70, McDonald Tract, north side of 190th Street and westerly of San Diego Freeway off-ramp. Recommended for denial.

Mayor Isen said that Item 12 should precede Item 11 on the agenda and asked City Clerk Coil to check with the City Attorney when there is any doubt as to the sequence of matters of this kind. Also the name "Thorpe" appears instead of Thompson on the agenda and planning material.

Mr. Edward Till of 4825 Torrance Boulevard, appeared for Adco and stated this one application was previously two, but they were consolidated at the suggestion of the Planning Commission. He mentioned a petition filed with the Planning Department supporting his company's petition to re-zone these twelve acres for 204 proposed units. The twelve acres are being abandoned as a nursery use and there is also seven acres now M-2. The units would be designed to sell for between \$25,000 and \$30,000 each, and there would be approximately eleven units per acre.

He discussed the project from the standpoint of proper growth of the City, assessed valuation and maintenance of proper land use. He believed 190th Street is a logical division line between residential and industrial. There is a subdivision between the proposed project and the Garrett Corporation property. Mr. Till quoted detailed assessed valuation figures on industries in the area and stated Bethlehem Steel's manager had opposed because he felt their use would be obnoxious to Adco.

Garrett Corporation has ample area to expand as necessary. There is a definite trend to multiple use on this type of property which has past the value economically feasible for single-family residences. Mr. Till described Torrance as a travel-minded community, many of whose residents work long distances from their homes. He stated the basic wealth is within the residential area and Mayor Isen took issue with that and certain other generalities.

Mr. Sciarrotta asked if this land is not conducive to manufacturing and Planning Director Shartle said it is part of the manufacturing area. It is separated by a barrier of the freeway.

Mr. Frank King of 8054 Florence Avenue, Downey, also on behalf of the proponent, exhibited a colored sketch and told what is planned in the way of setbacks, wall, screening plantings. Mayor Isen remarked that is a beautiful plan, but possibly in the wrong location.

Mr. King stated the property has been on the market for industrial uses for some time with no "takers".

Mr. Bob Klitgaard representing Bethlehem Steel called attention to the letter he wrote on behalf of his company and stated there is a unique operation which the people who plan to develop should stop in and observe. It would be a nuisance.

Mr. Leonard, realtor for Mr. Sakioka's property, also stated the property has been offered for two years to be used industrially and not one offer has been received; how long must it be held for industry?

Councilman Miller said that has been the story on every subdivision that is rezoned. True, industry does not move that fast. Looking toward the good of the entire city, a line must be drawn somewhere on rezoning to R-3. An individual home does not carry itself, taxwise.

Councilman Vico moved to close the hearing and his motion was seconded by Councilman Sciarrotta. There was no objection.

Councilman Beasley moved to concur in the recommendation of the Planning Commission, to deny, as to Item 12 and his motion was seconded by Councilman Sciarrotta. Roll call vote was unanimously favorable.

In that a portion of this property is agriculturally zoned, Mayor Isen requested that the Planning Commission institute a study as to the proper zoning for it. Mr. Shartle said it had already been started, as previously requested by the Planning Commission.

13. TENTATIVE TRACT NUMBER 29713 - ADCO DEVELOPMENT CO. (Jim Thompson) 204 air spaces and 3 land lots, Zones A-1 and M-2, north side of 190th Street between Wilton Place and Western Avenue. Recommended for denial.

Councilman Sciarrotta moved to concur in the recommendation of denial and his motion, seconded by Councilman Beasley, carried by unanimous roll call vote.

11. CASE NO. 64-51 - ADCO DEVELOPMENT CO. (Jim Thompson, 4825 Torrance Boulevard. Formal hearing for a conditional use permit to construct a condominium development on portion of Lot 69 and Lot 70, McDonald Tract, north side of 190th Street, westerly of San Diego Freeway off-ramp, in Zones A-1 and M-2 (requested R-3 PD Case No. 64-52.) Recommended for denial.

This being a public hearing, Mayor Isen asked if anyone wished to be heard; there was no response.

Councilman Beasley moved to close the hearing and his motion seconded by Councilman Vico, carried, there being no objection. The matters discussed under Case No. 64-52, Item 12, above, were included as to cases No. 6451 and the tentative tract, as fully as if set forth at length in each of the items.

Councilman Sciarrotta moved to concur in denial and his motion, seconded by Councilman Olson, carried by unanimous roll call vote.

Affidavit of Publication as to the cases on which hearings were held was presented by City Clerk Coil and there being no objection, ordered filed.

14. Proposed ordinance on Case No. 64-25.

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

ORDINANCE NO. 1507

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING APPENDIX I OF "THE CODE OF THE CITY OF TORRANCE, 1954" (ADOPTED BY ORDINANCE NO. 791), RECLASSIFYING THAT CERTAIN PROPERTY DESCRIBED IN PLANNING COMMISSION CASE NO. 64-25. (Torrance Planning Commission).

Councilman Sciarrotta moved to approve Ordinance No. 1507 at its first reading. His motion was seconded by Councilman Beasley and carried by unanimous roll call vote.

15. City Manager submitting proposed procedure to process waivers.

The recommendation is that the Council direct the City Attorney in cooperation with Management, to prepare the necessary legal documents to make this change in the procedure of processing waivers, where there is written consent from the adjacent property owners that the action of the Planning Commission be final except that the applicant or other interested parties may request appeal to the City Council if dissatisfied with the Commission's action. (It was set forth as "no fee basis")

City Manager Ferraro asked to add a fee of \$15.00 for this appeal to the City Council, which was overlooked in preparing the material. With that amendment, Councilman Beasley moved to approve the recommendation and his motion, seconded by Councilman Vico, carried by unanimous roll call vote.

A recess was declared at 6:35 and Council reconvened at 6:45.

21. OVERSIZE SIGN - AL ORTALE RAMBLER AGENCY (Resubmitted). Recommendation of Superintendent of Building Inspection, with concurrence of City Manager, that request for an oversize sign for Al Ortale Rambler Agency at 20710 Hawthorne Boulevard, be denied.

Mr. Ortale said he saw nothing about the sign as proposed which would be detrimental to Kinney's Shoe Store; they have many shoe stores, with uniformity as to signs and there is no reason to think they will change their sign's position at this location. The new car business and the used car business are kept separate.

Councilman Lyman said regardless of the type or size of sign Mr. Ortale puts up, it could only come in second in comparison to the monstrous signs at Vel's.

Councilman Beasley moved to allow Mr. Ortale to put in his sign and the motion was seconded by Councilman Lyman. Roll call vote was unanimously favorable.

Mayor Isen stated the motivation of his vote: Mr. Ortale has a large investment in his sign which would otherwise be lost; he is contributing a tremendous sales tax to the City. A reputable billboard company could have come onto Mr. Ortale's land and without

coming to the Planning Commission, the Council or anyone else, erected steel girders and a billboard sign. Once a billboard is up there is a vested interest or right and they do not come down. There is a new billboard on Standard Oil property on the Pacific Coast Highway close to the Jump'n Jack, advertising George Putman's news comments. He asked City Manager Ferraro for a brief on this.

Building Superintendent McKinnon said it does take approval - of the billboard committee which consists of two men of the outdoor advertising business, Mr. George Vico, Mr. David Halstead and himself (McKinnon). Mayor Isen contended this is purely voluntary there are no controls. There are possibilities of control which would be fair to the companies and to the people. Again, he asked a report on this from the City Manager.

Councilman Lyman said Hawthorne Avenue from 190th south is a mess as to billboards, when viewed from the standpoint of a stranger to the City. However, worse than the billboards, are the unpainted railroad overcrossing, the weeds and debris, all the way down to the White Front Store. Mayor Isen mentioned the interest of the Torrance Beautiful Commission in these matters and asked that the remarks here made be forwarded to that commission. If this street is ever going to be the "Miracle Mile of South Bay" many improvements will have to be made. Councilman Sciarrotta thought a bad appearing feature was the telephone poles, with wires back and forth. Councilman Beasley mentioned the concrete mixing place and the dust problem it causes to the whole neighborhood, including the stores.

24. PARKING ON PASEO DE LA PLAYA. Opinion No. 64-23 regarding constitutionality of restricting parking to parking by permit only.

Mr. Cecil Warneke of 332 Paseo de la Playa, on the ocean front, said there is a group in attendance at this meeting and he speaks for them, most of the property owners on the block. He referred to the sketch on the blackboard and stated there is NO PARKING on the east side of the street; on the west there is NO PARKING FROM 10 PM to 6 AM. Most of the property owners have small apartment houses, three to eight tenants, and those tenants are complaining of no parking space for company after ten as the police department is being very strict. He said they would like to either take the entire restriction from the west side of the street, or advance the time from perhaps 2 AM to 6 AM. He would like to change the petition in that respect. Mayor Isen suggested the matter be referred to the Traffic Commission to be brought back with a recommendation in two weeks. The petition will be completed and brought in within a few days in its revised form.

Mrs. Jones of 342 Paseo de la Playa, believes the petition now covers it, as it was made only as a suggestion, with a request for help in working it out, from the City. There must be some way to arrange that people may park on the street on which they live.

Mr. Ferraro asked if the matter might be extended until after August 15th to meet the schedule of the Traffic Commission's meetings but it was decided to hold a meeting in July and have the recommendation within this month. Both Mr. Warneke and Mrs. Jones will be notified of the time. (FR 8-5597 and FR 5-5118 respectively).

AIRPORT MATTERS:

32. Request of Ardanaz Brothers for extension of farming lease and reduction of percentage. Airport Commission President Morgan submitting Commission's recommendation of approval.

Councilman Sciarrotta moved to concur in the recommendation set forth. His motion was seconded by Councilman Lyman and carried by unanimous roll call vote.

33. E. R. COLLIN NOTIFICATION OF EXERCISE OF OPTION: Airport Commission President submitting Commission's recommendation that the matter be filed for record.

There being no objection, the recommendation was followed and the matter ordered filed.

34. AIRPORT COMMISSION'S REQUEST FOR CLARIFICATION OF COUNCIL DIRECTIONS AS TO COMMITTEE TO DRAFT LETTER TO FAA RE SOUTHWOOD RIVIERA HOMEOWNERS PROPOSED FLIGHT PATTERNS.

The consensus was that any two members of the Commission would be included, not necessarily pilots. Mr. Ferraro said the meeting is scheduled to be held at 7:00 this coming Thursday, July 9th prior to the regular Airport Commission meeting.

35. John S. Rouse, Harbor Cars, Inc., request for one year's extension of agreement. Airport Commission President submitting Commission's recommendation request be granted.

Councilman Miller moved to concur in the recommendation and his motion, seconded by Councilman Olson, carried by unanimous roll call vote.

LIBRARY OPERATIONS:

36. LIBRARY FURNITURE BIDS; Recommendation of City Manager that bids on Library furniture (Bid Q-1-4) be rejected and new bids for the same be received.

Councilman Sciarrotta moved to concur in the recommendation as stated and his motion, seconded by Councilman Vico, carried, there being no objection.

SECOND READING ORDINANCES:

37. ORDINANCE NO. 1504 .

At the request of Mayor Isen, City Clerk Coil presented a for second reading, and read title to:

ORDINANCE NO. 1504

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING APPENDIX I OF "THE CODE OF THE CITY OF TORRANCE, 1954" (ADOPTED BY ORDINANCE NO. 791, RECLASSIFYING THAT CERTAIN PROPERTY DESCRIBED IN PLANNING COMMISSION CASE NO. 64-28. (Robert L. Hayes.

Councilman Beasley moved to adopt Ordinance No. 1504 at its second and final reading. His motion was seconded by Councilman Miller and carried as follows:

AYES: COUNCILMEN: Beasley, Lyman, Miller, Mayor Isen.
NOES: COUNCILMEN: Olson and Vico
ABSTAIN: COUNCILMEN: Sciarrotta.

38. ORDINANCE NO. 1505.

At the request of Mayor Isen, City Clerk Coil presented for second reading and read title to:

ORDINANCE NO. 1505

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING SECTION 8 OF APPENDIX I OF "THE CODE OF THE CITY OF TORRANCE, 1954" (LAND USE ORDINANCE) PROVIDING RESTRICTIONS APPLICABLE TO PROPERTY ZONED A-1 (LIGHT AGRICULTURAL DISTRICT) INCLUDING PERMISSIBLE USES, BUILDING HEIGHT LIMITS, LOT DIMENSIONS AND YARDS AND DISTANCES BETWEEN BUILDINGS.

Councilman Sciarrotta moved to adopt Ordinance No. 1505 and his motion, seconded by Councilman Vico, carried by unanimous roll call vote.

Going now to the Addenda items:

39. Communication from City Manager re resignation of Ethel Kovach as member of Torrance Beautiful Commission.

Mayor Isen asked that a personnel session be held at 7:30 next Tuesday for considering various commission vacancies. City Clerk Coil will note this on the agenda.

40. Communication from City Manager re Superior Court Building groundbreaking ceremonies.

Councilman Sciarrotta moved to approve the plans and appropriate the \$1500 mentioned for the City to host a luncheon to honor distinguished guests. His motion was seconded by Councilman Vico and carried as follows:

AYES: COUNCILMEN: Beasley, Lyman, Miller, Olson,
Sciarrotta, Vico and Mayor Isen.
NOES: COUNCILMEN: None.

41. EXPENDITURES OF OVER \$300 FOR COUNCIL APPROVAL.

1. \$314.50 to Joslin Lumber Company for 2,880 feet of 2 x 6 tongue and groove, white fir lumber to be used for restrooms at Entradero and Victor Parks.

Councilman Beasley moved to approve the expenditure and his motion, seconded by Councilman Lyman, carried as follows:

AYES: COUNCILMEN: Beasley, Lyman, Miller, Olson,
Sciarrotta, Vico, and Mayor Isen.
NOES: COUNCILMEN: None.

42. Communication from Homeowners Associations re dismissal of member of Planning Commission.

A request was made for answers to four questions propounded in the communication which was signed by presidents of four homeowners' associations:

1. May we have a specific interpretation by the Council of the term "lobbying" as applied in the recent dismissal of a member of the Planning Commission?

2. Are our appointed officials and commissioners specifically advised as to the nature of their relationship to the City Council and standards of expected behavior during their term of office?

3. If the City Council is not satisfied with the performance of an appointed member of the City Commission, should that appointee be given an opportunity to resign before he is dismissed so that there can be no stigma attached to his leaving his office or position?

4. In the interest of fairness, would it be of value to delay the vote for dismissal of any appointed commission member for sufficient time to give all Councilmen the opportunity to fully consider and evaluate the proposal to dismiss and give the appointee the opportunity to explain his actions prior to action by the City Council?

Mr. Wm. Uerkwitz, President of Southwood Riviera Homeowners Association, was the spokesman of the four groups and he said while they have no wish to tell the Council how to manage its affairs, they would like to discuss the severity of dismissal and whether or not there is a better way to handle this type of case in the future. Obviously, commissioners serve at the pleasure of the councilmen, but perhaps some consideration should be given to the four subject covered by the questions above quoted.

Councilman Lyman answered: no, this is a standard method of operation. If they serve at the pleasure of the council, and the council wishes to do so, there is no reason not to take a vote and remove a commissioner.

Councilman Miller said what is to be considered is the future, not what has just occurred. As to question No. 2, however, he, Councilman Sciarrotta, Olson, Beasley, Vico, all have served as commissioners and no instruction was given as to mode of behavior, or otherwise. However, he thought it would be a fine idea to do so. As to question numbered 3, this is an emotional or human matter not easily incorporated into an ordinance. As to Question No. 4, there cannot be a hearing on everything that occurs.

Councilman Sciarrotta agreed that perhaps some instruction should be given to commissioners. City Manager Ferraro asked for the privilege of making a few remarks. Management has been considering developing a sort of commissioners' handbook which would not only assist the commissioners in defining their areas of responsibility but would instruct them as to what they can do about spending money, how matters get on the agenda, standard and stock motions, etc.

Mayor Isen said it is his understanding that a new commissioner receives a copy of the ordinance or resolution by which the commission was formed. There can be no set of rules to cover a situation which might come up; there is always the intangible and unpredictable. There is no stigma connected with the fact that there is simply no longer a meeting of the minds between the commissioner and the majority of the council. In this case, the commissioner threatened political reprisal because of a councilman's vote and Mayor Isen claimed that is reprehensible conduct if done as other than a private citizen. If as a result of this type of action, four members of the Council have lost their confidence in the commissioner there must be a parting of the ways.

Councilman Miller felt Mayor Isen had missed the point: whether or not the man should have a hearing.

Betty Price of 22610 Kathryn, stated the remark she heard the commissioner make was not a threat. Councilman Beasley, the councilmen to whom the remark was made, stated it takes a great deal of provocation for four members of the Council to dismiss a commissioner.

Mayor Isen summed up the discussion by saying a City Councilman is responsible to the electorate; a commissioner is responsible to the Council. There is no stigma attached to the dismissal of the commissioner, only a lack of meeting of the minds.

Councilman Olson believed all concerned are sincere in an effort to do what is right. He thought the letter from the groups brought up some thought-provoking subjects and he would like to have the City Manager seriously consider the four suggestions made in connection with the handbook or manual which is in the making. Councilman Sciarrotta believed it might have been well to give an opportunity for resignation, it is a matter of accomplishing the resignation or dismissal with brutal methods, or with polish.

Mayor Isen said the Council is responsible and will stand on its decisions. He asked the next order of business.

ORAL COMMUNICATIONS:

43. Building Superintendent McKinnon concurred in what has been said by the Council on signs, basing his recommendation on orderly development of the City. He asked that there be furnished legal opinions on what has happened under certain cases of outdoor advertising vs. cities. The companies have fully cooperated and there have been many times when they were denied the right to put up signs; those signs which have been put up were agreed upon. Mr. McKinnon and Mr. Remelmeyer said four years ago the Council itself passed an ordinance against billboards and then recanted. Mayor Isen said the time has come to again review it, and make some type of regulation.

44. Mayor Isen noted the presence of former Assistant City Attorney Robert Dower in the audience and introduced him.

45. Councilman Beasley mentioned that Councilman Olson had asked the City Manager to look into the cost of a Master Plan for the City. Mr. Ferraro stated a report will be made in about two weeks to the Council.

46. Councilman Olson asked if anything can be done about the pick-up of sound from the Civil Defense radio in the basement. Mr. Ferraro said he will see if that can be re-scheduled so as not to interfere with council meetings; it is a problem of antennae.

47. Councilman Sciarrotta stated he is concerned about a letter the councilmen received about Ordinance No. 1391, Vehicle Parking District No. 1. City Attorney Remelmeyer will answer Mr. Rippy's letter. Hearings have been held and the status of the matter is in good order.

48. Mr. Ollie R. Harrison, 5115 Scott, called attention to the sandwich type signboards which constitute a hazard on sidewalks throughout the city, particularly at a spot east of Anza on the south side of Sepulveda. City Manager Ferraro made a note and will investigate, together with the City Attorney and Police Department and report back to the Council.

49. City Attorney Remelmeyer asked for military leave for two weeks starting July 12th. He has been called to Fort Lee, Virginia and requested Council's permission to attend.

Councilman Vico moved to grant the requested permission and his motion, seconded by Councilman Miller, carried as follows:

AYES: COUNCILMEN: Beasley, Lyman, Miller, Olson,
Sciarrotta, Vico, and Mayor Isen.
NOES: COUNCILMEN: None.

The meeting was regularly adjourned at 7:45 p.m.

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

APPROVED;
Albert Isen
Mayor of the City of Torrance