

I N D E XCouncil Meeting held May 9, 1967, at 8:00 p.m.

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Adjourned at midnight	

Torrance, California
May 9, 1967

MINUTES OF A REGULAR MEETING
OF THE TORRANCE CITY COUNCIL

1. CALL TO ORDER:

A regular meeting of the Torrance City Council was held at 8:00 p.m., on Tuesday, May 9, 1967, 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 Attorney Remelmeyer and City Manager Ferraro were also present.

3. FLAG SALUTE:

Miss Michelle Galichon was present with her father, Commissioner Galichon of the Youth Welfare Commission and, at the request of Mayor Isen she led the salute to the flag.

Mayor Isen spoke of the passing of two fine Torrance citizens, Attorney Charles T. Rippey and Dr. Kurt Shery and the Council meeting observed a moment of silence in their memory.

4. INVOCATION:

Reverend Yong, Minister of Education at the First Christian Church, opened the meeting with an invocation.

STANDARD MOTIONS:

5. APPROVAL OF MINUTES:

Councilman Sciarrotta moved that the minutes of the regular meeting held April 25, 1967 be approved as written. His motion was seconded by Councilman Vico and there were no objections. The May 2nd minutes will be considered next week.

6. APPROVAL OF DEMANDS:

Councilman Beasley moved all regularly audited bills be paid. 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 Lyman and carried by unanimous roll call vote.

Mayor Isen gave a brief explanation of Council procedure for the benefit of the audience.

In order to accommodate some of the audience, Mayor Isen asked that the Council next consider:

13. APPEAL OF APPLICATION FOR DECISION THAT OIL WELLS LOCATED IN TRACT 2895 ARE NOT IDLE WELLS.

Two attorneys were present on this matter: Martin Munson and George Kurtz, and because of the time which will be necessary on this item, Mayor Isen suggested it be heard at a pre-council session May 23, 1967. Through further discussion with City Attorney Remelmeyer it developed that this 7 p.m. meeting should be a part of the formal Council meeting of May 23, 1967 and on May 16 the meeting should adjourn to that time for this purpose. In the interim the City Attorney will prepare his opinion as to Council jurisdiction.

Councilman Sciarrotta moved that the Council, at the end of its May 16th meeting, adjourn to 7 p.m., May 23, 1967 for the purpose of considering Item 13 of this agenda. Councilman Olson seconded and there was no objection.

Next, Mayor Isen asked that the Council consider Item 39:

44. PROPOSED YOUTH COUNCIL OF THE CITY OF TORRANCE:

Presented with the agenda material, was a proposed set of by-laws for the Torrance Youth Council and at the invitation of Mayor Isen, Chairman Charles K. Norman spoke. He said the Commission has met with representatives of the five high schools and his letter, also attached, presents a broad program toward mutual cooperation. The high school students are enthusiastic.

Councilman Sciarrotta doubted that September is the best time to hold the Youth Council elections and it was decided there should be some flexibility as to this date - perhaps October would be more practical.

Councilman Beasley moved to grant the request of the Youth Welfare Commission to approve the proposed organizational procedure and to direct that the proposal be implemented by proper resolution. Councilman Olson seconded and roll call vote was unanimously favorable.

* * * * *

Mayor Isen announced that it would be advisable at the end of this meeting tonight to hold a session for legal advice from the City Attorney plus a personnel session. This session will be held following oral communications and there will be no other matters considered after the councilmen return to the Council chambers just prior to adjournment. Several problems, he said, need discussion and the Councilmen agreed.

PLANNING AND ZONING HEARINGS:

8. CUP 67-5, ODELL, CELMER AND GARCIA: Appeal of a conditional use permit to allow construction and operation of a veterinary hospital on C-5 zoned property located at 23500 Hawthorne Boulevard. The Planning Commission has recommended approval subject to five conditions set forth in the agenda material. An appeal was filed by Thelma J. Turner, real estate broker, 1629 Crenshaw Boulevard.

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

Mayor Isen asked if anyone wished to speak, either for or against this conditional use permit.

Dr. Odell came forward and said the other two veterinarian doctors, his partners, are also present. He presented a petition of citizens who live in the area and who favor this project. He described the features of the hospital which he believed would make it acceptable to the community. He has no objections to the conditions imposed by the Planning Commission.

City Clerk Coil said two letters or protest had been received, one from Jack M. Roth and one from Jess: Hair Stylists. Mayor Isen added there was a letter protesting also from the adjoining property owner.

No one else appearing to wish to speak, Councilman Beasley moved that the hearing be closed; Councilman Lyman seconded and there was no objection.

Councilman Miller moved to concur in the recommendation of the Planning Commission and Councilman Vico seconded.

Mayor Isen commented that it would have been well for the opponents to appear at this hearing. Planning Director Shartle outlined the type of notices and publications made. The woman who filed the appeal is on vacation.

Councilman Beasley said he would consider this to be the highest and best use of the property as it is adjacent to the industrial land.

Councilman Sciarrotta asked for the question and roll call vote was unanimously favorable.

The next item had been introduced when a man came forward to speak on Item 8. Mayor Isen told him the matter had been decided and advised that he consult with the City Attorney as to any possible appeal, and with Planning Director Shartle. The man's name is Howard Frace, 26957 Eastvale Road, Rolling Hills.

9. ZONE CHANGE 67-5, TORRANCE PLANNING COMMISSION: Zone change from C-2 to C-R on the south side of Redondo Beach Boulevard between the Radium Theatre and a point approximately 100 feet westerly of Atkinson Avenue and Zone Change from C-2 and R-3 to C-5 on property located on the south side of Redondo Beach Boulevard between Van Ness Avenue and the Radium Theatre. Recommended for approval.

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

Mayor Isen asked if anyone wished to be heard on Zone Change 67-5 and Mr. Paul Hedman, owner of Hedman Photo Studio, 2834 Redondo Beach Boulevard, protested that to change the property from C-2 to C-R would devalue it. Mr. Shartle said C-R would permit all of the businesses that are there now and would give a measure of protection to the adjacent residential properties. It would not permit heavy commercial use such as garages and grocery stores nor multi-story buildings and apartments. Mayor Isen assured Mr. Hedman that this change would upgrade the area. His property is between Atkinson and Ardath Avenues, a 60 x 90 foot lot.

Irene Keith, 2810 Redondo Beach Boulevard, who has owned a beauty salon for five years, said she could see no reason to change from C-2 to C-R. Mr. Shartle pointed out to her the protection which C-R would offer. City Manager Ferraro asked her about the property behind the beauty shop and learned that she does not own the property back to 163rd Street.

Councilman Olson asked how this all got started and Mr. Shartle said the Commission asked for a study about a year ago at the time an application for a Wienerschnitzel was before it.

Mr. Ballif, 22911 Eighth Street, Newhall, owns a piece of property on Redondo Beach Boulevard between Van Ness and the Radium theatre, the only empty lot in the area and he can see no reason for the change of zone proposed. He described the seven stores he built in 1956 and the other developments, and he would like to have it stay C-2 for the present. At some future time, he might like to build an apartment. He identified his lot on the map for the councilmen.

Mayor Isen moved that, in a sense of fairness, Lot 2 owned by Mr. Ballif be excluded from the change of zone and its present zoning be retained.

Councilman Olson pointed out that there are eight lots; six have stores on them; one lot is vacant and one has an apartment.

Councilman Beasley said when C-2 property is rezoned to C-R its value is lowered; it puts a restriction on the property which affects its loan value.

Nicholas Savanoff, 2305 West 161st Street, R-1 property right behind the subject property, asked that some consideration be given to the people in his situation. He sees no problem as a result of leaving the property C-2.

Councilman Miller moved to concur in the recommendation of the Planning Commission; Councilman Beasley seconded. At this point, the hearing was still open.

Councilman Sciarrotta moved to close the hearing; Councilman Beasley seconded and there was no objection.

Councilman Miller said he believes Mr. Ballif has a good point; spot zoning is undesirable and further study should be made. He moved that the property shown as C-5 on Exhibit A attached to the agenda material be referred back to the Planning Commission. Mayor Isen seconded and there was no objection.

A further motion by Councilman Miller was to concur in the Planning Commission's recommendation, with the above exception. Councilman Olson seconded and roll call vote was:

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

NOES: COUNCILMEN: Lyman and Vico.

A short recess was declared at 9 p.m.

* * * * *

A Mr. Howard Frace, 26957 Eastvale Road, Rolling Hills, complained that he had not been present at the time the Conditional Use Permit, 67-5, for a veterinarian hospital at 23500 Hawthorne Boulevard was considered. Mayor Isen outlined for his benefit the action which was taken and stated all that could be done at this time is to set a future date at which time the Council would consider the request made by Mr. Frace. There was no motion to this effect, but Mayor Isen instructed the City Clerk to place Item 8 CUP 67-5, on the agenda for the eight o'clock meeting, two weeks from now, May 23, 1967. The proponents were present here tonight, their case was decided favorably and they have a right to know that there is some chance it may be reconsidered. If Mr. Frace wishes to appeal, he should attend Council and make his request at that time. All interested parties are to be notified. The Council is taking no action of any kind at this time on the appeal.

At 9:20 p.m., Councilman Beasley moved the Council recess for the purpose of holding the Redevelopment Agency meeting. His motion was seconded by Councilman Sciarrotta and there was no objection. The Council returned to its agenda at 9:25 p.m.

10. PRECISE PLAN 67-1, HERBERT O. MOEN: Precise plan of development for the continuance of a cash and carry milk store and milk processing plant on property at 18158 Crenshaw Boulevard, zoned C-3. Recommended for approval subject to conditions.

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

Mayor Isen asked if anyone wished to be heard and there was no response.

Councilman Sciarrotta moved to close the hearing; Councilman Vico seconded and there was no objection.

Councilman Sciarrotta moved to concur in the recommendation of approval. His motion was seconded by Councilman Vico and roll call vote was unanimously favorable.

11. ZONE CHANGE 67-4, TORRANCE PLANNING COMMISSION: Change of zone from C-2 to C-5 on property located on the west side of Hawthorne Boulevard between 238th Street and Pacific Coast Highway and a change of zone from C-2 to R-3 on property located on the east side of Los Codona Avenue north of 240th Street. Recommended for approval.

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

Mayor Isen inquired if anyone wished to speak, this being a public hearing.

Mr. Bob Mamora of 20914 Tomlee who owns the property right behind First Western Bank, said he would prefer that the zoning remain as it is. Mr. Mamora built the apartment house on the northeast corner of 240th Street and Los Codonas. The Councilmen studied the map and discussed the zoning problems with Planning Director Shartle and Public Works Director Nollac.

Mr. Francis Torino, 22420 Ocean Avenue, owner of lots 1 through 13 of Tract 23065 which is directly west of the subject property, said he has a set of plans in the Building Department by which he hopes to be issued a building permit for a 148 unit apartment house to front on Los Codonas Avenue and Ocean Avenue. He also has a 37 unit building, Ocean Pacific Apartments and ultimately plans to have 188 units, more than \$2½ million project. He would not like to have this project face the rear end of a commercial development. Also the garbage removal operations from Lucky Store are disturbing to the tenants.

Mayor Isen asked if anyone else wished to speak and there was no response. Councilman Beasley moved to close the hearing; Councilman Sciarrotta seconded and there was no objection.

Councilman Beasley moved that the cross hatched (on the map) property, the Mamora property on Los Codonas which is now zoned C-2 be allowed to remain C-2. Councilman Lyman seconded.

Councilman Miller moved a substitute to concur in the recommendation of the Planning Commission, per se, in that apartments should face apartments. Mayor Isen seconded. Roll call vote was:

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

The motion failed.

Roll call vote on Councilman Beasley's original motion, to retain C-2 zoning was:

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

The original motion carried.

Councilman Beasley moved that the recommendation on the balance be concurred in. Councilman Lyman seconded and roll call vote was unanimously favorable.

12. VARIANCE 67-6, CERTIFIED ROOFERS, INC. dba COAST ROOFING CO.
 Requested variance from the provisions of the R-3 zone to allow operation of a roofing yard and offices on property located on the south side of Carson Street approximately 300 feet westerly of Plaza del Amo at 2368 West Carson Street. Recommended for approval with conditions.

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

Mayor Isen asked if anyone wished to be heard and there was no response.

Councilman Lyman moved to close the hearing; Councilman Beasley seconded and there was no objection.

Mayor Isen recalled the trouble caused by the occupancy of Longren Aircraft on Carson and the erroneous zoning of the property. As to the roofing location, Mayor Isen said it is very unsightly. The building is ugly, the parking is uneven, there is no landscaping and not to require a precise plan would compound the neighbors' problems.

Councilman Beasley moved to deny the variance. Councilman Miller said he would prefer that the applicants present their case and hear the council's thoughts on the request. Councilman Olson asked if it would be proper to require landscaping, proper parking, etc., as conditions to the variance.

Councilman Sciarrotta moved to continue the case for two weeks for further study; Mayor Isen seconded, stating he does not object to the company doing business but the eyesore should be cleaned up. He also asked that a report be made to the Council as to the easements for widening along here. Coast Roofing will be asked to attend the Council meeting when this is again heard and the neighbors should show some interest.

Councilman Sciarrotta moved to re-open and continue the hearing until May 23, an eight o'clock meeting. Councilman Vico seconded and there was no objection.

PLANNING AND ZONING MATTERS:

14. PROPOSED RESOLUTION RE AMENDING THE MASTER PLAN TO ADD OAK STREET
 as a local collector between Carson and Jefferson Streets.

This item was withdrawn prior to the meeting.

15. REVENUES FROM OIL WELLS: Communication from Planning Director.

Councilman Olson moved to refer this communication to the existing Council oil well committee. Councilman Beasley seconded and there was no objection.

16. REQUIRED PARKING FOR NEW AND USED AUTOMOBILE SALES LOTS: Communication from Planning Director.

Mayor Isen outlined the question as he sees it: used car and even new car sales establishments are in effect, all parking space. He could see no way to enforce the ordinance as proposed to be amended and he labeled the amendment as unenforceable, infeasible thing that would cause more red tape and expense to the City. No other city in the County, nor the County itself, has such a provision. Supply and demand would take care of the problem.

Mayor Isen moved that Ordinance No. 1754 be amended, particularly 38.27 to provide that new and used car agencies and parking lots be exempted from the provisions of this ordinance. The motion failed for lack of a second.

Councilman Olson expressed the view that everyone should provide some type of parking, depending on the business they conduct.

The automobile agencies obviously can live within the restrictions the City wishes to put on them, Councilman Miller said, and there seems to be no opposition from the automobile agency owners; none is present. He feels there has been an over-dramatization of the enforcement problem.

Councilman Miller moved to place back on the table the previous recommendation of the Planning Commission. Councilman Beasley seconded and there was no objection.

Mayor Isen then moved that the previous recommendation of the Planning Commission be on the Council's agenda for next week. Councilman Beasley seconded and there was no objection.

STREETS AND SIDEWALKS:

17. NOTICE OF COMPLETION OF IMPROVEMENT OF INTERSECTION OF CRENSHAW BOULEVARD AND 235th STREET (B66-84) JOB No. 67011. Recommendation of Director of Public Works that the Council approve and authorize the additional work described in his transmittal letter; that the Council accept the work on the subject improvement; and that final payment be made to the contractor, Steiny & Mitchel, Inc., \$20,402.95.

Councilman Beasley moved to concur in all phases of the recommendation and his motion, seconded by Councilman Olson, carried as follows:

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

18. COOPERATIVE AGREEMENT FOR WESTERN AVENUE AS A STATE HIGHWAY.

Mayor Isen commented that the councilmen had all read the agreement and City Attorney Remelmeyer said what is needed now is a motion to concur in the recommendation to accept and approve the agreement in principle only, with the condition that the County Road Department study be made a part of the final agreement. Councilman Sciarrotta so moved; Councilman Beasley seconded and roll call vote was unanimously favorable.

SEWERS AND DRAINAGE:

19. 1964 STORM DRAIN BOND ISSUE PROJECT 8104: With attached proposed resolution approving project (Unit 1).

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

RESOLUTION NO. 67-88

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE APPROVING THE 1964 STORM DRAIN BOND ISSUE PROJECT 8104 (UNIT 1) AND GRANTING PERMISSION TO THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT TO CONSTRUCT AND MAINTAIN SAID STORM DRAINS WITHIN THE PUBLIC STREETS IN THE CITY OF TORRANCE.

Councilman Sciarrotta moved for adoption of Resolution No. 67-88 and his motion, seconded by Councilman Vico, carried by unanimous roll call vote.

A ten minutes recess was declared and the Council returned to its agenda at 10:15 p.m.

11. Mayor Isen stated Councilman Vico wished to make a statement. Councilman Vico stated he would like to change his vote to "No" on Councilman Beasley's motion with respect to R-3. Mayor Isen said it would be out of order to do otherwise than consider this again two weeks from now to permit time for notification of interested parties that there has been a request for reconsideration of the matter from a member of the City Council. It will be before the Council again at the May 23rd meeting (ordinarily held at 8 p.m., but the May 16th meeting will adjourn to 7 p.m. so that the question of idle oil wells can be heard at a formal session of the Council).

PERSONNEL MATTERS:

20. STANDBY PAY FOR THE WATER DEPARTMENT submitted by City Manager.

Mr. Sam Hunegs and Mr. Holly Kidner explained the policy which has been in operation up to February 6th, 1967 and from then to the present. The details of background, present method of compensation, the City Manager's proposal, Employees' counter proposal, claim for back overtime are all set out in the transmittal letter from the City Manager and the recommendation is to legalize the long standing practice of paying standby pay to the Water Service Leadmen in the Water Department by directing the City attorney to prepare a proper amendment to the ordinance covering salaries and wages, based on the proposal of the City Manager.

Mr. Hunegs boiled down the request of the employees as follows: three hours pay at time and one-half in addition to the regular eight hour day - every fifth week. The employees rotate the standby service. The one man of the five also checks boosters on Saturday and Sunday mornings, two hours each morning, at time and one-half pay, and remains on standby duty until 6 a.m. Monday. Breaking it down to straight time rates, Mr. James Lynch, also of the Water Department, said the City pays 9 hours (regular pay) on Saturday and on Sunday to the man who is on standby duty. There is no argument on the weekend pay, he said, but the request is made for three hours at overtime rates, instead of two (as at present) hours week nights.

Councilman Sciarrotta calculated that for the man who is on standby duty (one week out of every five weeks) the pay would be the regular forty hours, plus forty and one-half hours (figured at the straight rate). Mr. Lynch confirmed that figure.

Assistant City Manager Scharfman said he believes Management has made a concession in that, if in addition to the regularly scheduled work during these standby periods the men are called out on unanticipated emergencies, they will be covered by the two-hour minimum overtime rule. He asked also that the Council legalize the practice.

Councilman Sciarrotta moved to pay in accordance with his calculation set forth at the top of this page. Councilman Miller seconded, but asked what other communities pay in this regard. Mr. Scharfman said about half of them pay, but he does not have the exact figures.

City Manager Ferraro said it might prove better to hire another man and stop the standby practice.

The motion of Councilman Sciarrotta was clarified as being the same as the Employees' Counter Proposal on page 2 of Mr. Ferraro's letter. Councilman Miller complained there were no comparison figures furnished.

Mr. Hunegs said the counter proposal of the employees is fair and equitable

Roll call vote was:

AYES: COUNCILMEN: Beasley, Lyman, Miller,
Sciarrotta, Vico and Mayor Isen.
NOES: COUNCILMEN: Olson. (he believes the item is ill-prepared
and indefinite, and should be carefully calculated)

Councilman Olson said during the time the ordinance is being prepared, there should be further study. Mayor Isen moved, rather, that the action taken here tonight go into effect immediately without having to await the ordinance. Councilman Sciarrotta seconded. Roll call vote was:

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

Mr. Lynch requested also that there be some adjustment about the standby pay on legal holidays. Councilman Beasley moved that the City Attorney include in the ordinance a provision that legal holidays be paid the same as Saturdays and Sundays as to standby service. His motion was seconded by Mayor Isen and failed, as follows:

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

21. PERSONNEL DIRECTOR submitting recommendation re National Safety Council awards.

Councilman Olson moved to concur in the recommendation that five people attend this dinner, with Mr. Ferraro to find the Council volunteer. Councilman Sciarrotta seconded and roll call vote was:

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

22. PROPOSED ORDINANCE re class specifications for Recreation classes and amendments to classification plan and salary ordinances Nos. 1764 and 1765.

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

ORDINANCE NO. 1772

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING ORDINANCE NO. 1765 TO ADD TWO NEW CLASS SPECIFICATIONS TO THE POSITION CLASSIFICATION PLAN AND REVISE ONE CLASS SPECIFICATION.

Councilman Beasley moved to approve Ordinance No. 1772 at its first reading. Councilman Vico seconded and the motion carried by unanimous roll call vote.

The Council did not consider the emergency version of the ordinance, as not being necessary.

FISCAL MATTERS:

23. CLAIM OF MRS. ROGER G. GARD against the City for personal injuries allegedly sustained on April 20, 1967, as the result of her falling into a depressed area near 3722 Del Amo Boulevard, Torrance. Recommendation of City Clerk to deny and refer the claim to the City Attorney.

Mayor Isen moved to deny and refer the claim. His motion was seconded by Councilman Beasley and carried, there being no objection.

24. REQUEST OF CITY CLERK FOR PERMISSION TO ATTEND ANNUAL CONVENTION of International Association of Municipal Clerks to be held at the Statler Hotel in Los Angeles, May 21-25, 1967, with appropriate expenses paid, this being a budget item.

Councilman Sciarrotta moved to grant the request. Councilman Beasley seconded and roll call vote was:

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

NOES: COUNCILMEN: None.

25. REQUEST OF CITY TREASURER TO ATTEND 61st ANNUAL CONFERENCE of Municipal Finance Officers Association of the United States and Canada, in Chicago, Illinois, June 4 - 8, 1967, with appropriate expenses.

Councilman Sciarrotta moved to grant the request. Councilman Beasley seconded and roll call vote was:

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

NOES: COUNCILMEN: None.

26. PETITION TO STATE DIVISION OF HIGHWAYS FOR ACCUMULATION OF 186.1 GAS TAX FUNDS: Recommendation of Director of Public Works, with concurrence of City Manager, that attached resolution be adopted by the City Council.

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

RESOLUTION NO. 67-89

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE ADOPTING AND SUBMITTING A SPECIFIC PLAN FOR EXPENDITURE OF STATE APPORTIONED (186.1) FUNDS.

Councilman Sciarrotta moved that Resolution No. 67-89 be adopted. His motion was seconded by Councilman Vico and carried by unanimous roll call vote.

27. EXPENDITURES OF OVER \$300.

Councilman Beasley moved to approve the following seven listed expenditures:

1. \$369 to American Aerial Surveys, Inc. to make an aerial survey of the new proposed South Torrance park site area complete with photos and inked topographic drawings showing locations of structures within the ten acre site.
2. \$369.72 to Victor Comptometer Corp for one only calculator to be used by the City Librarian's office.
3. \$310.44 to Park-Son, Inc. for five only six-inch gate valves to be used by the Water Department for replacement stock.
4. \$316.73 to Oranco Supply Co. for the purchase of 1440 feet of sprinkling water pipe and fittings to be used by the Park Department for the parkway development program on Redondo Beach Boulevard between Atkinson Avenue and Wilkie.
5. \$312 to Jamison Mfg. Co. for purchase of eight only park benches by the Recreation Department for the shuffle-board courts at Walteria Park.

SPECIAL CATEGORY - LIBRARY BOOKS:

6. \$16,690.38 to Random House Publishing Co. for the purchase of 5,944 adult and juvenile books for the Torrance Library system.
7. \$454.32 to Ephraim Letz Collier - Macmillan Library Service for the purchase of 339 books, titles of which are available upon request.

Councilman Vico seconded and roll call vote was:

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

27A. SPECIAL ITEM FOR COUNCIL APPROVAL:

\$351.75 for round trip air fare to fly Mrs. Hebert, wife of the Torrance Armed Forces Day Grand Marshal from Baltimore, Md. to Torrance and return

Councilman Sciarrotta moved to approve this special item also and his motion, seconded by Mayor Isen, carried as follows:

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

AIRPORT MATTERS:

28. ROBERT MARKS' REQUEST FOR SUB-TENANCY ON THE KIDWELL LEASEHOLD:
Submitted by Airport Manager and Airport Commission.

29. AIR SCOUT, SQUADRON 377-A REQUEST FOR AIRCRAFT STORAGE AT NO CHARGE. Submitted by Airport Manager and Airport Commission.

30. DR. FRUDENFELD'S REQUEST FOR APPROVAL OF PLANS FOR (A) NEW ADDITION TO BUILDING #2 and (B) ADDITION TO BUILDING #4.

31. LONG BEACH CHAPTER NINETY-NINES, INC., tendering donation in the amount of \$1,000 to assist in defraying expenses of Powder Puff Derby terminus.

As to Items 28, 29, 30 and 31, Councilman Sciarrotta moved the Council concur in the recommendations contained in the respective letters of transmittal. Councilman Beasley seconded and roll call vote was unanimously favorable. Airport Manager Egan was instructed to write a letter of thanks to the LONG BEACH NINETY-NINES.

Mayor Isen reported that the Los Angeles County Board of Supervisors had refused any financial assistance to the Powder Puff Derby. Councilman Miller could not understand the lack of cooperation of the other South Bay communities.

COMMUNITY AFFAIRS:

32. PROPOSED RESOLUTION NO. 67-86 expressing appreciation to Honorable F. Edward Hebert.

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

RESOLUTION NO. 67-86

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE EXPRESSING APPRECIATION TO THE HONORABLE F. EDWARD HEBERT, MEMBER OF THE UNITED STATES HOUSE OF REPRESENTATIVES COMMITTEE ON ARMED SERVICES ON THE OCCASION OF THE EIGHTH ANNUAL ARMED FORCES DAY CELEBRATION.

Councilman Sciarrotta moved to adopt Resolution No. 67-86 and his motion, seconded by Mayor Isen, carried by unanimous roll call vote.

33. RESOLUTION NO. 67-87 expressing appreciation to Clete Roberts for contribution as master of ceremonies.

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

RESOLUTION NO. 67-87

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE EXPRESSING APPRECIATION TO CLETE ROBERTS FOR HIS CONTRIBUTION AS MASTER OF CEREMONIES AT THE EIGHTH ANNUAL ARMED FORCES DAY LUNCHEON.

Councilman Sciarrotta moved to adopt Resolution No. 67-87 and his motion, seconded by Councilman Olson, carried by unanimous roll call vote.

As to both Resolution No. 67-87 and 67-86, Councilman Sciarrotta moved they be prepared in perma plaque form. His motion was seconded by Mayor Isen and carried as follows:

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

NOES: COUNCILMEN: None.

34. RE. BUSES FOR ARMED FORCES DAY PARADE:

Councilman Sciarrotta moved to concur in the recommendation as contained in the Bus Superintendent's letter, concurred in by City Manager Ferraro. His motion was seconded by Councilman Miller. Roll call vote was unanimously favorable, except for Councilman Vico who called attention to the fact that the Bus Department is losing money.

Councilman Olson asked that the homeowners in appropriate areas be notified of this service to the citizens.

PROCLAMATION:

35. Mayor Isen proclaimed the week of May 21 - 27, 1967, as REALTOR WEEK.

SECOND READING OF ORDINANCES:

36. ORDINANCE NO. 1768:

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

ORDINANCE NO. 1768

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING APPENDIX I OF "THE CODE OF THE CITY OF TORRANCE, 1954", TO RECLASSIFY THAT CERTAIN PROPERTY WHICH IS LOCATED ON THE SOUTH SIDE OF THE SAN DIEGO FREEWAY APPROXIMATELY MIDWAY BETWEEN CRENSHAW BOULEVARD AND VAN NESS AVENUE, AND DESCRIBED IN ZC 67-1.

Councilman Beasley moved to adopt Ordinance No. 1768 at its second and final reading. His motion was seconded by Councilman Sciarrotta and carried by unanimous roll call vote.

37. ORDINANCE NO. 1769:

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

ORDINANCE NO. 1769

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE PROVIDING FOR A RIGHT OF ENTRY BY THE BUILDING OFFICIAL FOR ENFORCEMENT OF THE CITY'S HOUSING CODE (UNIFORM HOUSING CODE, 1964 EDITION) WITH RESTRICTIONS ON THE EXERCISE THEREOF; AMENDING SUBSECTION (b) OF SECTION H-201 OF SAID CODE.

Councilman Sciarrotta moved to waive further reading of Ordinance No. 1769; his motion seconded by Councilman Lyman, carried by unanimous roll call vote.

Mayor Isen moved for adoption of Ordinance No. 1769 at its second and final reading. His motion was seconded by Councilman Miller and carried as follows:

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

Councilman Vico stated this ordinance is not fair to the people of Torrance and Councilman Sciarrotta said his "Yes" vote is reluctant.

38. ORDINANCE NO. 1771:

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

ORDINANCE NO. 1771

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE REPEALING SECTION II OF ORDINANCE NOS. 1764 AND 1765 AND SUBSTITUTING NEW PROVISIONS THEREFOR ADOPTING A REVISED UNIFORM THREE-STEP PAY PLAN; SETTING FORTH A LONGEVITY PLAN; PROVIDING FOR THE PAYMENT OF EMPLOYEE HEALTH INSURANCE PREMIUMS; AMENDING THE CLASSIFICATION PLAN AND REPEALING EMERGENCY ORDINANCE NO. 1770 RELATING TO THE SAME MATTER.

Councilman Sciarrotta moved to waive further reading of Ordinance No. 1771. His motion was seconded by Mayor Isen and carried by unanimous roll call vote.

Councilman Sciarrotta then moved to adopt Ordinance No. 1771 at its second and final reading. Mayor Isen seconded and roll call vote was:

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

39. City Manager Ferraro stated Mr. U. R. Bone of the Postoffice has requested use of the City Parking lot in downtown Torrance for a drivers' training program May 11th 9 a.m. to 4 p.m. Councilman Olson moved the request be granted. Councilman Miller seconded and there was no objection.

The councilmen waived oral communications for this meeting.

40. Mr. Jack Allen of 2112 238th Street said he had encountered some difficulty when he went to get a building permit to rebuild his home which was destroyed by fire and explosion several months ago. Although just prior to the fire, he had remodeled and improved his single car garage, the City regulations now are that in order to rebuild over 50% of his home, he must raze the single garage and build a two-car garage farther back. Mr. Allen's family has been renting another home for five and one-half months and time is an important element.

It will be necessary to obtain the approval of the Planning Commission president and hold public hearings, Planning Director Shartle said. Mayor Isen moved that the building permit issue

subject to approval of the Planning Director and the President of the Planning Commission, plus proper publication of notice of public hearing before the Council, so that Mr. Allen can go ahead with his plans. Councilman Vico seconded and roll call vote was:

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

NOES: COUNCILMEN: Beasley.

Mr. Allen was advised to talk with Planning Director Shartle.

41. Mr. Ray Saukola, President of the Torrance City Employees' Association, said he would have an oral communication to make after the Council returned from its executive session, which calls for advice from the City Attorney in the case of Nicolai vs. the City of Torrance. Mayor Isen stated the session would also involve personnel matters.

42. Mayor Isen requested Mr. Remelmeyer, Mr. Rupert, Mr. Coil, Mr. Dundore, Mr. Scharfman and Mr. Donovan to attend the executive session, to which the Council retired at 11:30 p.m.

The councilmen returned to the Council Chambers at 11:50 p.m. and City Treasurer Rupert made the following statement:

"As you gentlemen know, we were all named in a lawsuit with regard to a procedure whereby a police officer was purportedly blanketed in to the position of sergeant. At that time, not being familiar with the technicalities of the law, I requested that the office of the City Attorney provide me with a ruling relative to the legality of the step-up pay, or the blanketing in additional pay, not only for Sgt. Wooldridge, but for the other persons involved as a result of the Jacobs survey. Today, I received the conclusions of this report from the City Attorney and Item 2 under the conclusion, states as follows:

"In my opinion, commencing immediately, you should withhold that portion of the paycheck represented by said raises in the case of Sgt. Wooldridge and all other employees who were blanketed in to higher positions. We further state that attached is a list of employees who fall in this category.'

I'd like direction with regard to this, gentlemen."

Councilman Lyman moved, on the advice of the City Attorney, that commencing immediately the City Treasurer and Director of Finance be directed to withhold from Sergeant Thomas Wooldridge and the 106 other employees who received promotions through blanketing-in as a result of the Jacobs Survey (as set forth in Mr. Donovan's list), that part of their pay which was raised as a result of such promotion, also including the portion of retroactive pay attributable to promotions. At the request of Mayor Isen, the list of names on Exhibit A was made a part hereof as fully as if set forth herein. Councilman Beasley seconded.

Mayor Isen stated while the employees listed will not like this, it is not something which was precipitated by either Administration or the members of the City Council. The lawsuit was filed by the Police Officers' Association and Mrs. Nicolai and besides questioning the validity of the procedure whereby these employees were blanketed in, including Mr. Wooldridge as sergeant, there is

a prayer for an individual personal money judgment from each member of the Council, Mr. Rupert, Mr. Coil and Mr. Ferraro. If a court should decide in conformance with this prayer, the City would not pay it; the money on the theory of the case would be restored to the City treasury and each and every person found responsible by the court for a judgment would be individually and severally responsible for the full amount. Anyone having the capacity to pay could be executed upon for the full amount of money personally; he could not get reimbursement from the City but would have to request his co-defendants to contribute toward it. This is one of the penalties of public office. The Council has had the advice and recommendations of the City Attorney's office and Administration.

As a result, in self protection, should the plaintiff prevail, all the analogous cases would be entitled to the same treatment. There is the possibility each of the defendants would be found responsible to pay the judgments to all the employees who were so promoted. He said the motion made by Councilman Lyman is necessary so that until such time as the judge decides the matter, there will be no further chance of personal liability or responsibility. Mayor Isen stated that Mr. Rupert and Mr. Dundore will set up trust accounts as to each individual, the money will be there deposited and as soon as the court says that these amounts due to the blanketing in, can be paid, it will be paid as long as there is no personal liability on the defendants in this case who have to make up the arrearage in case this is found to be illegal.

Mayor Isen said not only did the persons named as defendants act in good faith, but the representatives of the employees' groups agreed to the procedure. City Manager Ferraro confirmed Mayor Isen's statement and added that the Council relied on the advice of the employees' groups that the procedure was acceptable to them. While the Police Officers Association did not sign the agreement, they did agree in the meeting that they would comply with the letter agreement and sent a separate letter afterwards.

Roll call vote on the motion to withhold was:

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

NOES: COUNCILMEN: None.

43. Ray Saukola, President of the Torrance City Employees' Association, on behalf of the association, expressed regret that the City Attorney has found it necessary to recommend that the City Treasurer withhold a portion of the salaries of approximately 106 employees, but he would not ask that the Council ignore that advice. He said he sees nothing improper in the Council having adopted the Jacobs survey. The manner in which the survey was implemented, he said was practically identical to the procedure followed by the Council in 1958 when the City hired the State to make such a survey. He believes the Council acted properly but if any money is withheld from TCEA members, the association will take legal action to require full payment of salaries to its members. He asked that the Council here be advised that the Association's attorney has been instructed to immediately institute such action.

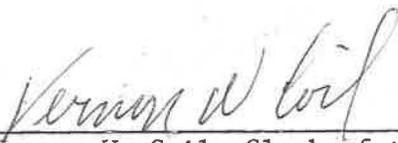
Mr. Saukola asked Personnel Director Donovan if he would say that there were 106 employees who were blanketed in to a higher position. Mr. Donovan answered "Yes". Mr. Saukola asked if the duties and responsibilities of the positions of 106 employees are higher than that which they presently occupy. Mr. Donovan said "No, not the duties and responsibilities in every case." He could not say how many of the employees had their duties and responsibilities changed.

City Attorney Remelmeyer said that phase will be investigated during the coming week and a determination made. Considerable study is necessary as to each case.

Mayor Isen told Mr. Saukola that the Council does not intend to argue the merits of the withholding or any questionability of any of the 106 employees being on the list. That is something which the judge will have to decide.

Mr. Saukola said his questions of Mr. Donovan were for the purpose of clarification. In case of litigation there may be some distinction between the cases in which duties and responsibilities were changed, and those in which they were not.

The meeting was regularly adjourned at 12 midnight.



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

APPROVED:



Mayor of the City of Torrance