

I N D E XCity Council - April 8, 1969 - 7:00 P.M.

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Ava Cripe  
Minute Secretary

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Adjourned at 10:45 P.M. to Tuesday, April 22, 1969, 7:00 P.M.

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April 8, 1969

MINUTES OF A REGULAR MEETING  
OF THE TORRANCE CITY COUNCIL

OPENING CEREMONIES:

1. CALL TO ORDER:

The Torrance City Council convened in a regular meeting on Tuesday, April 8, 1969, at 7:00 P.M. in the Council Chambers at Torrance City Hall.

2. ROLL CALL:

Responding to roll call by City Clerk Coil were: Councilmen Johnson, Miller, Sciarrotta, Uerkwitz, Wilson, and Mayor Isen.  
Absent: Councilman Beasley.

Also present: City Manager Ferraro, Deputy Attorney Smith, City Treasurer Rupert, and City Clerk Coil.

3. FLAG SALUTE:

At the request of Mayor Isen, Mr. Jim Minter led in the salute to the flag.

4. INVOCATION:

Reverend Daniel B. Weaver, Del Amo Southern Baptist Church, gave the invocation.

STANDARD MOTIONS:

5. APPROVAL OF MINUTES:

Councilman Sciarrotta moved that the minutes of the regular meetings of March 25, 1969 and April 1, 1969 be approved as recorded. His motion was seconded by Councilman Wilson, and there were no objections.

6. APPROVAL OF DEMANDS:

Councilman Johnson moved that all properly audited demands be paid. His motion was seconded by Councilman Miller, and carried as follows:

AYES: COUNCILMEN: Johnson, Miller, Sciarrotta, Uerkwitz,  
Wilson, and Mayor Isen.  
NOES: COUNCILMEN: None.  
ABSENT: COUNCILMEN: Beasley.

7. MOTION TO WAIVE FURTHER READING:

Councilman Uerkwitz 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, seconded by Councilman Sciarrotta, was unanimously approved by roll call vote (Councilman Beasley absent).

\* \* \* \*

Council procedure was outlined by Mayor Isen to those in attendance for the first time.

Mr. Bill Ritchie, Torrance Jaycees, was present to invite the Council to the crowning of the new Miss Torrance 1969, Miss Susan Hawk, on April 9, 1969.

\* \* \* \*

PRESENTATIONS:

8. Presentation by John Mosley of four paintings by Leo Politi, in memory of his wife, Mrs. Ethel Mosley.

Mayor Isen recalled the fine qualities of Mrs. Ethel Mosley, a dedicated Library Commissioner, and requested that Mrs. Naomi Leavitt of the Library Commission conduct the ceremony to follow.

Mrs. Leavitt expressed the particular pleasure in accepting the four lovely paintings on display for housing in the Torrance Public Library in memory of Mrs. Ethel Mosley, an appropriate tribute to this fine woman.

Introduced then was Mr. Leo Politi who delightfully described the background of his art, further enhancing the occasion by the presentation of a toy monkey who served as a model, an autographed book containing his work, and an additional painting of the former Long Beach Pier. (The monkey was entrusted to Captain Maestri until its permanent home in the library is available.)

Formal presentation of the paintings to the Torrance Public Library was made by Mr. John Mosley, who expressed his pleasure at thus dedicating to the memory of his wife such an appropriate gift. On behalf of the Council and the residents of Torrance, Mayor Isen gratefully accepted this generous, meaningful gift.

\* \* \* \*

NON-CONTROVERSIAL ITEMS:

(Item #15 considered separately.)

9. CLAIM of Mary E. Fritz and her two sons, Steven and Brian, for personal damages on January 1, 1969, at Ocean and Pacific Coast Highway. Recommendation of City Clerk that said claim be denied and referred to the City Attorney.

10. CLAIM of C.L. Lamoreaux for flood damage on January 20th and 25th, 1969, at 2416 Amsler Avenue. Recommendation of City Clerk that said claim be denied and referred to the City Attorney.
11. BUDGETED AND SPECIAL EXPENDITURES IN EXCESS OF \$300:
- A. BUDGETED ITEMS:
1. \$453.08 to Western Highway Products for 100 traffic control signs plus mounting hardware requested by the Traffic and Lighting Department for use on City streets.
  2. \$356.22 to International Harvester Company for 41 miscellaneous steering assembly parts needed to repair a downed Hough loader (Unit #928). This was an emergency request for parts by the City Garage.
  3. \$346.63 to Western Water Works Supply Company for 33 miscellaneous water pump repair parts requested by the Water Department for use in servicing various pumps in the field.
  4. \$349.55 to Howard Supply for 500 feet of 6" galvanized pipe requested by the Water Department for stock "as needed".
  5. \$1805.50 to 3M Business Products Sales, Inc. for one only reader-printer machine requested by the City Librarian for use in processing all overdue notices for all branch libraries and for making copies directly from newspaper or periodical microfilm.
- B. SPECIAL EXPENDITURES - City Library:
6. \$3204.83 to Campbell & Hall, c/o Harry R. Wilson, for 9 reference, 98 juvenile, and 393 adult books.
  7. \$305.29 to Books for Libraries, Inc. for 31 assorted books.
  8. \$1424.15 to Harry Rinehimer for 869 assorted books.
12. Extension of contract for light bulbs and fluorescent tubes. Recommendation of Finance Director that Council approve the renewing for an additional year the existing "Cooperative County Contract" with the Southwestern Electric Company with no price changes. (\$3500 Annual Expenditure)
13. Approval of Cooperative Los Angeles County Contract for traffic signal controls, parts and accessories. Recommendation of Finance Director that Council approve of Torrance joining with the County in a "Cooperative Contract" with the Econolite Corporation for traffic signal controls, parts and accessories for a one-year period beginning April 1, 1969. (\$7000 Annual Expenditure)

14. Request of City Clerk for permission to attend annual convention of the International Institute of Municipal Clerks in St. Louis, Missouri, May 17-22, 1969, with appropriate expenses paid, a budget item.
16. AWARD OF CONTRACT - Civic Center Sewer (B69-8) Job #69016. Recommendation of Acting City Engineer that contract be awarded to Tony Pipeline Construction Company, and all other bids be rejected.
17. REQUEST OF CHRIS SORENSEN FOR A ONE-YEAR EXTENSION TO RECORD TRACT NO. 23177. Recommendation of Acting City Engineer that request be granted.

MOTION: Councilman Uerkwitz moved to concur with the recommendations on Items 9,10,11,12,13,14,16, and 17. His motion was seconded by Councilman Sciarrotta, and carried as follows:

AYES: COUNCILMEN: Johnson, Miller, Sciarrotta, Uerkwitz,  
Wilson, and Mayor Isen.

NOES: COUNCILMEN: None.

ABSENT: COUNCILMEN: Beasley.

15. Request of City Librarian to enter into agreement with Computer Planning Corporation.

City Librarian West defined the need for the requested services for the development of the library catalog, and the benefits to be derived from the study by Computer Planning Corporation.

Library Commissioner Dick Hall spoke in support of City Librarian West's request, and reported on the success of such an undertaking at Aercspace observed by him.

The necessity of such a study, based on first hand observance, was acknowledged by Councilman Johnson -- it is Mr. Johnson's further feeling that this is the first step to take on any future internal computer work to be done by the City.

The anticipated date of employment for the Data Processing Manager was requested by Councilman Uerkwitz; City Manager Ferraro advised approximately five months. Mr. Uerkwitz further commented that he recognizes the need to study the system; however, if the departments are taken one at a time in this manner there will be no need for such a Manager, and it was his understanding that it would be the responsibility of the Data Processing Manager to establish the proper system for all of City Hall, including the libraries. This, therefore, seems premature to him. Assistant City Manager Scharfman explained the need for immediate action, the catalog system being the heart of the library and sorely needed by the public, and the subject request does not represent duplication or waste.

MOTION: Councilman Miller moved to concur with the recommendation of the City Librarian and City Manager that the Library enter into an agreement with Computer Planning Corporation to implement a study of the library catalog, at an estimated cost of \$1400, such funds available in the Library budget. His motion was seconded by Councilman Sciarrotta, and roll call vote was unanimously favorable (Absent: Councilman Beasley).

PLANNING AND ZONING HEARINGS:18. ZONE CHANGE 69-6, THOMAS K. FITZPATRICK.

Change of Zone from R-1 and C-2 to R-2 on property located on the northwest corner of Newton Street and Ward Street. Denial recommended by Planning Commission.

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

Additional correspondence: Five letters approving the request.

The relationship between the subject zone change and agenda item #23 (Appeal of W 69-5, Robert H. Dunn) was noted, and they were considered together.

Planning Director Shartle expanded on the Staff recommendations -- approval of R-2 zoning and denial of W-69-5. Their objections to the duplexes proposed by Mr. Dunn are the lack of usable yard space and the fact that the tandem parking proposed is not usable; it is their feeling that the lots could be combined which would permit better development and more open space.

The reference to "open space" was deemed debatable by Mayor Isen -- citing certain streets in Torrance with hillside lots completely devoid of open space which has been found unnecessary by the Planning Commission, and meets with their approval -- and then to take issue with the lack of open space in the attractive duplexes proposed here makes no sense whatsoever to him. (The Mayor's comments were warmly applauded) Planning Director Shartle responded, acknowledging that the open space referred to above may not be usable open space but it is nevertheless open space -- adding that Staff does not agree with the Commission on the level rear yard area on hillside lots -- but there is a considerable amount of yard area and at least there is separation from neighbors, which is not the case with the duplexes.

It was the comment of Councilman Miller that this case is a unique one and it is necessary to adjust to the problem of the 25 ft. lots, the hodge-podge development now existent -- duplexes would be less obnoxious to him than a large apartment house with the additional density and traffic.

Representing Mr. Dunn was Attorney Phillip Kelly who displayed renderings of the proposed duplexes, and indicated that it would be possible to provide the 5 ft. by granting an easement between the 6 ft. which will separate the duplexes. Further noted by Mr. Kelly was that these duplexes have more total area than those previously approved by the Planning Commission, and it was his suggestion that if the Council were to waive the 10 ft. rear yard setback to 5 ft. then it would be possible to provide 29 ft. frontage which would accommodate lawns, patios, etc.

Mayor Isen inquired if anyone wished to be heard.

Mrs. William Geissert, 439 Calle de Castellana, speaking for the League of Women Voters, stated that they urge denial of the request for the change of zone from R-1 to R-2, and that their interest in this case is based upon their concern for providing usable open space for residential development in Torrance. The recent Council action in adopting usable open space standards for apartment development in Torrance indicates a shared concern. The subject lots are 25 ft. wide and are seriously undersized according to the City Code for even R-1 development -- the problem would merely be doubled by permitting R-2 usage. Further pointed out by Mrs. Geissert was that cities across the country are amending their Codes in an attempt to insure maximum use of residential open space while allowing builders greater flexibility in placement and grouping of structures; density standards are established for a given area, and the door is then opened for more creative use of the land and for combining open space into meaningful, usable areas. It is the feeling of the League, Mrs. Geissert concluded, that it is time for Torrance to take a leadership role in providing for this type of development through changes in the Code; in this way, owners of problem lots could realize a fair economic return on their property and yet insure the future quality of living in Torrance.

Next to speak was Mr. William Borton, 3116 Winlock Road, president of the Walteria Homeowners Association, who stated their strong feeling that something should be done to clean up the subject property, and that the buildings proposed appear very attractive, but they must go on record as opposing the request at this time based on the fact that there is too much building on the allotted ground. Mr. Borton added that there is no objection to the R-2 zoning, but that the structure should be revised. Discussion followed on the most practical type of development for the subject property and the various difficulties presented. Councilman Johnson specifically detailed the precedent-setting impact of approving the proposed duplexes, labelling them a 30-year decision; R-3 zoning would be his recommendation in view of the demand and the fact that the available land would support high quality, ordinance abiding, development.

Mr. J.E. Minter, Jr., 1500 Hickory, Apt. 208, stated that he had lived in the subject neighborhood for 17 years, with the property under discussion having been dormant for this period of time and a weed-filled eyesore. It now appears that a developer is interested in removing this eyesore with most attractive units, and Mr. Minter is heartily in favor of this.

Mrs. Henry Lucas, Palos Verdes Estates, was next to speak, stating that she hopes to purchase one of the duplexes, which decision came after extensive searching for desirable property, and requested that the Council support the request.

Owner of property in Walteria for many years, on a 25 ft. lot, Mrs. Beverly Anderson, 24218 Park Street, stated that she does not want 14 units on that corner, no matter how they space them.

Mrs. Ann Hutton, 3650 Newton Street, owner of an apartment house at this location, stated that she is very much interested in the subject property which is across the street, and is very much in favor of the proposed development. Mrs. Hutton added that she felt the Council should take into consideration the cost of land and the luxury represented by wide yards, etc.

Mr. Kelly returned to comment that the preceding discussion has pointed out the alternatives -- R-2 or R-3 -- and that there seems to be a preference for something unique and attractive than a "cracker box" type of apartment house. He further noted that they have buyers for the duplexes, financing has been arranged, and the development will enhance the community.

In the event of approval of the zone change, there would be some five weeks involved in obtaining the ordinance, etc., Mayor Isen advised -- he then inquired if Mr. Kelly would consent for item #23 (W 69-5) to be returned to the Planning Department in order that conditions might be finalized and reviewed -- such as the cross-easements, parking, etc. -- and returned with a set of guidelines. Mr. Kelly had no objections, after it was determined it would be a matter for the Planning Department to resolve and represented no loss of time, and assuming the zone change is granted.

There being no one else who wished to be heard, Councilman Sciarrotta moved that the hearing be closed. His motion was seconded by Councilman Miller, and there were no objections.

MOTION: Councilman Sciarrotta moved that the requested change of zone from R-1 and C-2 to R-2 (ZC 69-6) be granted. His motion was seconded by Councilman Miller, and carried as follows:

AYES: COUNCILMEN: Miller, Sciarrotta, Uerkwitz,  
Wilson, and Mayor Isen.  
NOES: COUNCILMEN: Johnson.  
ABSENT: COUNCILMEN: Beasley.

Councilman Johnson stated that his "no" vote was for the reason that he feels there will be future trouble; he might, however, favor a common wall arrangement.

Councilman Uerkwitz voted "yes" following clarification by Planning Director Shartle as to possible methods of R-2 development.

His "yes" vote is based on the assumption that Code requirements will be met, according to Councilman Wilson.

MOTION: Councilman Miller moved that Item #23 (W 69-5) be continued to the Council meeting of April 29th, a 5:30 P.M. meeting. The motion was seconded by Councilman Uerkwitz, and there were no objections.

Mayor Isen clarified that the above action on Item #23 is merely a matter of conferring with Planning Director Shartle and Staff to evolve the most attractive possible development --

hopefully, there will be mutually agreeable requirements that the Planning Department would recommend to the Council on this matter.

Building and Safety Director McKinnon advised the Council that it should be noted that the common wall concept is the same thing as a condominium, with responsibilities to one another as to maintenance, etc., and, therefore, compounds the subdivision requirements, and should be taken into consideration. Mayor Isen commented that there is no such direction from the Council, it having been indicated by Mr. Shartle that this is something for future investigation and not applicable in this case -- what is of interest are mutual easements, conditions that will run with the land, and perhaps a better parking situation.

Suggested by Councilman Miller was that this case be taken as an example, relating it to the studies, indicating what could have theoretically happened had there been such an ordinance.

Councilman Uerkwitz stated that there, obviously, will now be other 25 ft. lots before the Council, and now would be the time to start working on this.

Further requested by Mayor Isen was, in writing, as to what the setback will be, along with a plot plan showing the back yard, alley, etc.

\* \* \* \*

A 10-minute recess was ordered by Mayor Isen at this time, the hour being 8:25 P.M.

\* \* \* \*

19. ZONE CHANGE 69-4, R.A. WATT COMPANY, INC.

Request for a change of zone from M-1 to R-3 on property located on the west side of Madrona Avenue between Spencer Street and Del Amo Boulevard. Planning Commission recommends denial.

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

Correspondence: One letter of protest, which was ordered filed.

Mayor Isen announced that this is the time and place for the public hearing on ZC 69-4.

Representing the proponent, Mr. Phillip Blair advised the Council that following several meetings with the Delthorne Homeowners' Association their desire for postponement on any action in this matter has become evident. It is, therefore, the request of the proponent for a 30-day postponement in the hope that in the interim a mutually satisfactory agreement may be reached as to the environment and a development all may be proud of.

The president of the Delthorne Homeowners Association, Mr. Joseph Alerio, 20425 Madison Street, reported on action taken at their last meeting disapproving of the requested zone change, and requesting of the City Council that a moratorium be placed on any building at this site until its proper usage is determined. Mr. Alerio had a resolution in hand supporting this action. He had no objection to the continuance requested by the proponent.

MOTION: Councilman Sciarrotta moved to postpone ZC 69-4 until the meeting of May 13, 1969, a 7:00 P.M. meeting. His motion was seconded by Councilman Wilson, and there were no objections.

Mayor Isen, with the consent of the Council, appointed Mr. Alerio (as the association president) along with four other people of the association's choice to confer with Mr. Blair, in order, hopefully, to work this matter out in a manner satisfactory to all.

20. ZONE CHANGE 69-3, THOMAS A. AND SOON BAUMGARTNER

Request for a change of zone from R-2 to R-3 on property located on the east side of Amie Avenue approximately 500 feet southerly of 182nd. Recommended for approval to RR-3, Precise Plan.

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

Mayor Isen inquired if anyone wished to be heard on ZC 69-3; there was no response. Councilman Sciarrotta moved that the hearing be closed. His motion was seconded by Councilman Uerkwitz, and there were no objections.

MOTION: Councilman Uerkwitz moved to concur with the recommendation of the Planning Commission, RR-3, Precise Plan. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable (Councilman Beasley absent).

21. ZONE CHANGE 69-2, HENRY MAHLER.

Request for a change of zone from R-1 to C-R on property located at 2121 West Carson Street. Recommended for denial by the Planning Commission.

(Continued from March 25, 1969 meeting.)

The attorney for the proponent, Mr. Shap Kimes, Suite 400-9 Union Bank Tower, stated that they are very close to compromise in this matter but certain obstacles still remain. Mayor Isen suggested that this item be returned on April 22nd; this was agreeable with Mr. Kimes. Councilman Uerkwitz so MOVED; the motion was seconded by Councilman Johnson, and there were no objections.

Mr. Wilbert Taubenheim, 1728 Manuel Avenue, presented a letter signed by eight property owners objecting to the proposed zone change; they desire that the subject property remain R-1.

The use of the property over the past years was reviewed; Mayor Isen stated that it is the hope of the Council to obtain immediate betterment, with some type of artistic development in the future which would be appropriate for the neighborhood -- hence the time devoted to this matter:

PLANNING AND ZONING MATTERS:

22. TENTATIVE TRACT NO. 22068, CREATIVE HOMES, JIM TAYLOR, SUBDIVIDER: LANCO ENGINEERING, ENGINEERS.  
Six-lot tract located between 233rd Street and 234th Street approximately 190 feet west of Cabrillo Avenue. Recommended for approval by the Planning Commission, subject to conditions.

MOTION: Councilman Sciarrotta moved to concur with the recommendation of the Planning Commission for approval of Tentative Tract No. 22068, subject to conditions, as well as that of the Engineering Department, noting that this tract is located in a building restriction area (Drainage District 8-A) and a waiver must be signed by the owner acknowledging this. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable. (Absent: Councilman Beasley).

23. APPEAL OF W 69-5, ROBERT H. DUNN.

Heard earlier in the meeting.

24. ORDINANCE amending the Torrance Municipal Code to provide for increased garage area for single family residences.

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

ORDINANCE NO. 1962

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING SECTIONS 91.4.1 AND 93.2.1 OF THE TORRANCE MUNICIPAL CODE PROVIDING FOR INCREASED GARAGE AREA FOR SINGLE FAMILY RESIDENCES.

Councilman Johnson moved for the approval of Ordinance No. 1962 at its first reading. His motion, seconded by Councilman Miller, was unanimously approved by roll call vote (Councilman Beasley absent).

25. ORDINANCE reclassifying property described in ZC 69-7, Hitoshi Yamaguchi and Tokiye Yamaguchi.

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

ORDINANCE NO. 1963

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING DIVISION 9 OF THE TORRANCE MUNICIPAL CODE TO RECLASSIFY

THAT CERTAIN PROPERTY WHICH IS LOCATED  
AT THE SOUTHWEST CORNER OF HAWTHORNE  
BOULEVARD AND 236TH STREET, AND DESCRIBED  
IN ZONE CHANGE 69-7.

(Hitoshi Yamaguchi and Tokiye Akune Yamaguchi)

Councilman Sciarrotta moved for the approval of Ordinance No. 1963 at its first reading. His motion was seconded by Councilman Miller, and roll call vote was unanimously favorable (Absent: Councilman Beasley).

26. ORDINANCE regulating automobile and motorcycle repair, automobile agencies and used car lots.

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

ORDINANCE NO. 1964

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE ADDING SECTIONS 95.3.24 PROVIDING FOR AUTOMOBILE, TRUCK, MOTORCYCLE, TRAILER, AND BOAT REPAIR FACILITIES, AND 95.3.25 PROVIDING FOR AUTOMOBILE, TRUCK, MOTORCYCLE, AND TRAILER SALES AGENCIES TO THE TORRANCE MUNICIPAL CODE, AND AMENDING SECTION 95.3.15 SERVICE STATIONS THEREOF.

Councilman Miller moved for the approval of Ordinance No. 1964 at its first reading. His motion, seconded by Councilman Johnson, was unanimously approved by roll call vote. (Absent: Councilman Beasley).

27. Communication from the Planning Director regarding consideration of a revision in the land use ordinance to clarify the definition of hotels, motels and apartments and the off-street parking requirements.

MOTION: Councilman Uerkwitz moved to concur with the recommendation for approval by the Planning Commission, and that the matter be referred to the City Attorney for preparation of the necessary ordinance. His motion was seconded by Councilman Sciarrotta, and roll call vote was unanimously favorable (Absent: Councilman Beasley).

STREETS AND SIDEWALKS:

28. Improvement of 234th Street west of Cabrillo - request for appropriation.

City Manager Ferraro corrected a word - "parkway" instead of "property" - in the last sentence of the fourth paragraph of his cover letter of April 4th; further, the counter offer made by Mr. O'Cain (referred to in the same paragraph) was not found acceptable, and the comments pertaining thereto should be ignored.

MOTION: Councilman Johnson moved to concur with the recommendation of the City Manager, in reference to the improvement of 234th Street west of Cabrillo: (1) That \$7,000 from the Unappropriated Surplus in the General Fund be appropriated to cover cost estimates for pipeline relocations; and (2) That \$1,500 be appropriated from the Drainage Improvement Fund to cover drainage improvement work. The motion was seconded by Councilman Sciarrotta, roll call vote was unanimously favorable (Absent: Councilman Beasley).

Mrs. Wilma Schreiber was present to indicate the area of problem pipe to be lowered -- City Manager Ferraro advised that every effort will be made to expedite the needed relief.

Also present was Mr. Robert O'Cain, 2115 West 235th Street, who described his home at this location (built in 1952) and the fact that his garage is sitting where the street has been designed to go, there being no master plan at the time. Mayor Isen asked Mr. O'Cain if he would dedicate if the City moved the garage -- Mr. O'Cain answered "no", stating it would not solve his problem inasmuch as the property is approximately 4 ft. higher than the street, the house would be facing the wrong way, with the porch 2 ft. away from the 4 ft. drop-off.

Mayor Isen asked that the complexities of Mr. O'Cain's situation be reviewed by Staff for a solution, with the assistance of Engineering and Building Superintendent McKinnon.

Further requested by Mrs. Schreiber was the removal of the dirt, refuse, and oily substances from this subject street. City Manager Ferraro will see that this is accomplished.

29. FINAL TRACT MAP NO. 25836, SUBDIVIDER: DAN BUTCHER.  
Recommendation of Acting City Engineer and Planning Director that subject final tract map be approved.

MOTION: Councilman Sciarrotta moved to concur with the recommendation of the Acting City Engineer and Planning Director that the subject final tract map be approved. His motion was seconded by Councilman Wilson, and carried as follows:

AYES: COUNCILMEN: Miller, Sciarrotta, Uerkwitz,  
and Wilson.

NOES: COUNCILMEN: None.

ABSTAIN: COUNCILMEN: Johnson (may have a financial  
interest).  
Mayor Isen (possibility of legal  
employment).

ABSENT: COUNCILMEN: Beasley.

30. RESOLUTION authorizing condemnation of Pivovaroff property for public street purposes (232nd Street).

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

RESOLUTION NO. 69-66

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE FINDING AND DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE THE ACQUISITION BY THE CITY OF TORRANCE OF THE FEE SIMPLE TITLE IN AND TO CERTAIN REAL PROPERTY IN SAID CITY FOR ANY PUBLIC USES AND PURPOSES AUTHORIZED BY LAW AND FOR USE FOR AND IN CONNECTION WITH PUBLIC STREET PURPOSES; AND DIRECTING THE CITY ATTORNEY TO BRING AND PROSECUTE AN ACTION IN THE SUPERIOR COURT FOR THE CONDEMNATION THEREOF.  
(232nd Street).

Councilman Johnson moved for the adoption of Resolution No. 69-66. His motion, seconded by Councilman Uerkwitz, was unanimously approved by roll call vote (Councilman Beasley absent).

BUILDINGS, STRUCTURES, AND SIGNS:

31. Requests of Stan Wilson and G.L. Schuler for relief from compliance with Ordinance No. 1937 establishing new standards for multiple residential construction.

MOTION: Councilman Uerkwitz moved to concur with the recommendation of the Building and Safety Director on Item "A": That a 60-day extension of time be granted to Mr. Stan Wilson in which to start construction of his apartment project because much of the delay that Mr. Wilson has encountered is requiring City participation in solving his problem. The motion was seconded by Councilman Johnson, and roll call vote was unanimously favorable (Councilman Beasley absent).

Item "B" was next considered - request of Mr. G.L. Schuler re: proposed 90-unit apartment house at 3656 Garnet Street and a 180-day extension of time - it being the consensus of the Council that 180 days was too long a period of time.

MOTION: Councilman Miller moved that a 60-day extension be granted to Mr. G.L. Schuler (Item "B"). The motion was seconded by Councilman Uerkwitz, and roll call vote was unanimously favorable (Absent: Councilman Beasley).

It was the comment of Mayor Isen that there should be no further applications for relief, on the expiration of the extensions granted. The Council was in agreement.

Mr. Ken Ruby, 1901 Avenue of the Stars, Century City, was present to make a similar request for time extension. Building and Safety Director McKinnon confirmed that Mr. Ruby had substantially complied in reference to his plans, and it would be his recommendation that a like 60-day extension be granted Mr. Ruby. MOTION: Councilman Miller moved to grant Mr. Ruby a 60-day extension, to July 1, 1969. His motion was seconded by Councilman Uerkwitz, and roll call vote was unanimously favorable (Councilman Beasley absent).

COMMUNITY AFFAIRS:

32. RESOLUTION expressing appreciation to James P. Becker for faithful and diligent service as a member of the Torrance Safety Council.

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

RESOLUTION NO. 69-67

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE EXPRESSING APPRECIATION TO JAMES P. BECKER FOR HIS FAITHFUL AND DILIGENT SERVICE TO THE CITY OF TORRANCE AS A MEMBER OF THE TORRANCE SAFETY COUNCIL.

Councilman Sciarrotta moved for the adoption of Resolution No. 69-67. His motion, seconded by Councilman Wilson, was unanimously approved by roll call vote (Absent: Councilman Beasley).

ITEMS NOT OTHERWISE CLASSIFIED:

33. County Sanitation Districts requesting Council to appoint one of its members to serve as Alternate Director to the Districts.

Action was taken in a MOTION by Councilman Miller: RESOLVED, that Jay A. Beasley, a member of the City Council of the City of Torrance, is hereby selected and designated as an alternate member of the Boards of Directors of County Sanitation District No. 5 and South Bay Cities Sanitation District of Los Angeles County to act in the place of the presiding officer of the City Council during his absence, inability or refusal to act as a member of said Boards of Directors. The motion was seconded by Councilman Sciarrotta; there were no objections, and it was so ordered.

34. Recommendation of Torrance Safety Council to City Council for support of Assembly Bill No. 105 lowering the presumptive limit for determining drunk drivers.

MOTION: Councilman Johnson moved to concur with the recommendation of the Safety Council. His motion was seconded by Mayor Isen.

Prior to roll call vote on the motion, Councilman Uerkwitz stated that he felt there was a need for further clarification and authority -- is .10 percent reasonable? Captain Maestri advised that he was unacquainted with the subject legislation; however, based on his experience, .15 percent has been effective and could see no reason to change it as of now.

The motion carried, with roll call vote as follows:

AYES: COUNCILMEN: Johnson, Miller, Wilson,  
and Mayor Isen.  
NOES: COUNCILMEN: Sciarrotta, Uerkwitz.  
ABSENT: COUNCILMEN: Beasley.

SECOND READING ORDINANCES:

35. ORDINANCE NO. 1961.

At the request of Mayor Isen, City Clerk Coil presented for its second reading:

ORDINANCE NO. 1961

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE ESTABLISHING AN ALTERNATIVE METHOD OF FINANCING PUBLIC IMPROVEMENTS CONSTRUCTED UNDER THE PROVISIONS OF THE IMPROVEMENT ACT OF 1911 AS SET FORTH IN THE STATE STREETS AND HIGHWAYS CODE, AND FURTHER PROVIDING AN ALTERNATIVE METHOD OF COLLECTING ASSESSMENTS LEVIED AGAINST REAL PROPERTY IN CONJUNCTION WITH PROPERTY ACQUIRED AND WORK PERFORMED UNDER SAID IMPROVEMENT ACT AND REPEALING EMERGENCY ORDINANCES NOS. 1952 AND 1960 RELATING TO THE SAME MATTER.

Councilman Johnson moved for the adoption of Ordinance No. 1961 at its second and final reading. The motion was seconded by Councilman Wilson, and unanimously approved by roll call vote (Councilman Beasley absent).

\* \* \* \*

At 9:30 P.M. Councilman Sciarrotta moved to recess as City Council, reconvening as the Redevelopment Agency, followed by a 10-minute general recess at 9:32 P.M.

\* \* \* \*

ORAL COMMUNICATIONS:

36. City Manager Ferraro reported much improvement in the condition of City Attorney Remelmeyer, who is, in fact, planning to attend the April 18th meeting in Sacramento relative to oil wells, returning to his desk at City Hall that week as well.

37. Referring to the attendance of administrative personnel in Sacramento on April 23rd, City Manager Ferraro requested that permission be granted for Finance Director Dundore to stay over in order that the annual sales tax audit may be accomplished -- further requested was permission for the City Manager, the City Treasurer, Building and Safety Director McKinnon, Chief Koenig, and Chief Lucas, the occasion being the Chamber's

"Torrance Day" in Sacramento. Mr. Ferraro added that the cost will be approximately \$50.00 per person, and the money is available in the Community Promotion funds.

Councilman Sciarrotta MOVED that the subject request be granted, and that the necessary funds be appropriated. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable (Councilman Beasley absent).

38. City Clerk Coil reported on statistics pertaining to Mayor Isen, unearthed by Deputy City Clerk Moss: Appointed Mayor April 5, 1955; elected at large by the people April 8, 1958; reelected April, 1962; reelected April, 1966 -- therefore, as of this date, Mayor Isen has served the City for 14 years, now embarking on his 15th year. Appropriate congratulations were extended Mayor Isen.

39. Councilman Johnson referred to the City Manager's earlier reference pertaining to the attendance of City Attorney Remelmeyer at the League of California Cities oil well meeting in Sacramento on April 18th, and MOVED that this be approved, with appropriate expenses. His motion was seconded by Councilman Sciarrotta, and roll call vote was unanimously favorable (Councilman Beasley absent).

40. Councilman Johnson reported on his understanding of a telegram sent last week to Assemblyman Beverly relative to the CHP Bill indicating that this Council desired a change in the CHP Bill regarding the retirement period for the Police Chief. Councilman Johnson then asked the City Manager on whose authority and under what conditions the telegram was sent.

City Manager Ferraro read the wire to Assemblyman Beverly:

"This will confirm our March 27th telephonic conversation regarding introduction of relief legislation for the retention of Police Chief Koenig.

"It is the position of the City that we do not wish to lose Chief Koenig at a time when the City is three to four years away from having sufficient qualified personnel available for the position.

"The General Counsel and Chief Actuary of PERS will not oppose legislative amendments for deferral and will support it as opposed to exclusion.

Edward J. Ferraro,  
City Manager."

The City Manager advised that the above telegram was sent for the following reasons: (1) he does not want to lose Chief Koenig as a result of legislation or contract that the City will sign, and (2) it was learned on the afternoon the telegram was sent, that there was only one day left to introduce such a bill; it was, therefore, necessary to act instantaneously. Mr. Ferraro continued, stating that he had used his own judgment in a matter pertaining to a person responsible to him; it had nothing to do with changing any legislation of the Highway Patrol bill except as it pertained to Chief Koenig, and has no bearing on anyone other than the Chief.

It was determined from a Staff level, City Manager Ferraro further stated, that there were only two ways to retain Chief Koenig: (1) to have special legislation introduced, as was done, or (2) a proposal which is less desirable to amend the contract, which the General Counsel has indicated they would not oppose if the legislation cannot be secured.

In conclusion, Mr. Ferraro stated that the above was the basis for the wire -- had he done nothing that would have been the end of Chief Koenig, and he believed he had acted in the best interests of the City.

Asked of the City Manager by Councilman Uerkwitz was, aside from the merits of the legislation, was whether or not he interpreted this action as policy or administrative. Mr. Ferraro responded that he deemed it administrative inasmuch as it affects an existing employee.

Mayor Isen alluded to the portion of the telegram re: "position of the City"; had it referred to "position of the City Manager", there would be no dispute. But to state "position of the City" is taking considerable for granted, in the opinion of the Mayor -- since when is the City Manager the City? Mayor Isen then recalled the oral communication on the retention of Chief Koenig at the April 1st Council meeting -- with no action taken -- the Council was asked for comments, and there were none, the Council remained silent. Yet this telegram makes it appear the Council is right in it and that endorsement has been made. Mayor Isen added that copies of other communications by the City Manager are always furnished rapidly; a copy of this telegram had not yet been provided.

Noted by Councilman Johnson was the implication to the Assemblyman which may result in future reluctance to act so promptly on City matters. Mr. Johnson feels that this is strictly a policy matter, not administrative at all; it involved a department head, true, but this Council did not indicate it wanted the thing implied by the telegram.

In the opinion of Councilman Wilson, the City Manager acted in good faith, protecting the welfare of the Chief's future -- it is Dr. Wilson's feeling that this legislation is necessary to be written into the retirement otherwise it could be found unconstitutional; therefore, he feels this is an unjustifiable complaint, representative of "hair splitting" over the City Manager doing something that he deemed necessary.

City Manager Ferraro then read aloud from the February 18th Council minutes wherein the Council referred the request of Chief Koenig for exemption from the mandatory retirement at age 60 to the City Attorney for an opinion. Mayor Isen noted that the referring of a matter to the City Attorney - as happens in many, many cases - for an opinion does not indicate approval nor disapproval. City Manager Ferraro stated that there was no indication that the Council did not want such action taken, and Mayor Isen pointed out that unless there is an affirmative vote, nothing can be taken for granted. City Manager Ferraro then stated that if he has erred it is for the reason that he would have lost a major department head by doing nothing.

What has been done has been done was the comment of Councilman Miller -- the crux of the matter seems to be had the wire been from the City Manager and not the City, it would have been in order. Councilman Miller added that his unexpressed views are somewhat represented by this action, hence his lack of emotion. Further, he feels the choice of words an honest mistake, and the only remaining action to take now is to wire Assemblyman Beverly clarifying that this is the feeling of the City Manager and that the Council has taken no position on the matter.

Councilman Uerkwitz was not in agreement with Mr. Ferraro's urgency plea, recalling the recent emergency closing of City Hall on the death of General Eisenhower, with no problems contacting Councilmen encountered at that time; the same policy could have been followed in this emergency. Further commented by Councilman Uerkwitz was the fact that it has been agreed time and time again that there are two facets of this kind of government -- one is administrative and the other is the policy-making body, and, in his opinion, the City Manager was very wrong in the respect that he delved into the policy-making portion of the City functions by this action, and his objection is on that basis.

His support of the CHP Bill, Councilman Miller further stated, was not to pay lip service to anybody, but because he feels it is for the good of the City -- it is his hope that the interpretation of supporting this does not have a double meaning, and action taken with honorable intentions will not now be used for other purposes. The main objective and goal is to get the CHP Bill through - Chiefs will come and go; the program is what is important.

Lieutenant Oates spoke at this time, stating that of concern to the Police and Fire Association is the fact that on this April 8th agenda should have been the second and final reading on the ordinance for the Highway Patrol plan; it has been learned this ordinance is being held up pending some amendment to the retirement system in Sacramento. Lieutenant Oates further stated that he has found no legislation introduced which has anything to do with retirement in the City of Torrance; it was, however, learned that the subject telegram had gone through.

The disturbance of Lieutenant Oates is based on the fact that negotiations have been underway for approximately 17 months on retirement, starting back with a Council Committee, followed by the 50/20 Plan which would have gone into effect May 1st but Staff, the City Manager, the Finance Director, etc. indicated they wanted the safety members to have the Highway Patrol program, so renegotiations were undertaken. All of this time the City Manager was aware of the mandatory age 60 retirement, Lieutenant Oates continued, and of further concern is the fact that this telegram does not affect just Policemen and Firemen in the City of Torrance, but, rather, throughout the State of California. Also, a contract has been entered into with management that they will meet in good faith on any matter affecting employee-employer representations -- were there any problem negotiating amendments to this retirement some action could have been requested at that time on behalf of the Chief -- yet with all these opportunities, on the last day for submission of legislation, this is suddenly dumped in at the request of the City, Lieutenant Oates concluded.

Mayor Isen again referred to the fact that copies of telegrams, etc. are always promptly furnished Councilmen -- as of now, he has not yet seen a copy of this wire -- and, in a direct question to City Manager Ferraro, Mayor Isen asked him that had this not been dug up, would the Council have known about the telegram, and, if so, when? City Manager Ferraro responded that it most likely would have been detailed at the time of making a final recommendation.

Lieutenant Oates further commented that it is their opinion that Mr. Ferraro has acted in very bad faith -- under 3504 of the Government Code it is their understanding that Mr. Ferraro was obligated to notify and confer with the Associations before sending such a telegram. The end result is that money and time will now have to be spent to oppose Assemblyman Beverly's bill, and at the same time because the City Manager thought he was acting on behalf of the City he has alienated a lot of Policemen and Firemen in the City. It would be his request that Assemblyman Beverly be informed as to the circumstances surrounding this action; it is further requested of the City Council either to sit as a Committee-as-a-whole or delegate a Council Committee to meet and confer with in employee-employer representation matters, or to decide on selecting another person to so meet. At this point, unless something happens, they refuse to meet with the City Manager, this being the third time in two months that Mr. Ferraro has been guilty, in their opinion, of an unfair labor practice; therefore, the refusal to meet with him further, according to Lieutenant Oates.

Fire Captain DeArmitt, Torrance Firefighters Local 1138, questioned the absence of the proposed ordinance for consideration by the Council at this meeting and the reason it is being held up. Fire Captain DeArmitt also pointed out the delays represented by the legislation which has been introduced. City Manager Ferraro responded that (1) the ordinance was being held up at his request -- because there were two ways of salvaging Chief Koenig; one was the legislative route, the other an amendment to the contract itself, and (2) it is his understanding that there is sufficient time for the contract to be effective on July 1st.

This has been a serious mistake, in the opinion of Councilman Sciarrotta, it being his feeling that any time the City Manager or an executive head asks a legislative body to pass a bill it presumably reflects the sentiments of the Council. To request information is a different proposition, and would be within the prerogative of a City Manager; to ask that something be done, however, is stepping on the toes of the legislative body of the City.

MOTION: Councilman Johnson moved that it be a matter of record that the subject telegram was not authorized by the City Council, it reflected the City Manager's position only; the City Council is taking no position in this matter.

The motion was seconded by Councilman Sciarrotta, and carried as follows:

AYES: COUNCILMEN: Johnson, Miller, Sciarrotta,  
Uerkwitz, Wilson, and Mayor Isen.  
NOES: COUNCILMEN: Wilson (for the reason that he feels  
the City Manager acted in good  
faith.)  
ABSENT: COUNCILMEN: Beasley.

Mayor Isen specifically requested that a copy of the second telegram to Assemblyman Beverly, along with a copy of the original telegram, be furnished the Councilmen.

At Councilman Miller's question, City Manager Ferraro advised that the ordinance would be on the April 22nd agenda, without qualification.

41. Councilman Wilson noted the error reported on Council Committee assignments -- specifically the committee on committees -- and inquired as to its status. There was unanimous agreement to ratify the mistake, permit the committee (Councilmen Johnson, Miller, and Sciarrotta) to stand, and meet as scheduled on April 11th.

42. Mayor Isen, as one of the proponents of the electronic voting system, stated that after viewing a mock setup and hearing an explanation of its operation, feels that it may be a waste of money. He, therefore, MOVED that efforts cease on the installation of electronic voting devices or signals for the Council to obtain Chair recognition. His motion was seconded by Councilman Miller. In disagreement was Councilman Johnson.

The motion carried, with roll call vote as follows:

AYES: COUNCILMEN: Miller, Sciarrotta, Uerkwitz,  
Wilson, and Mayor Isen.  
NOES: COUNCILMEN: Johnson.  
ABSENT: COUNCILMEN: Beasley.

43. Admiration for the minutes of the Youth Council, written by Miss Kathy Long, was expressed by Mayor Isen, who commended her example-setting -- an example that well could be emulated by Minute Secretaries on other Commissions.

44. Mr. John Melville, 3220 Merrill Drive, stated that he was present to appeal a Planning Commission denial of his request to pave a parking lot at 2517-19 Carson, outlining the proposed paving arrangement which would facilitate traffic in and out on Carson Street and be in the best interest of safety. It is Mr. Melville's intent that the entire arrangement be of an interim nature until the fate of the property can be determined.

The procedural difficulties were outlined by Planning Director Shartle -- if Mr. Melville desires to relocate his parking lot it must be constructed to City standards for a parking lot, along with landscaping, sprinklers, walls, etc., and requiring building permits. The question to be resolved, Mr. Shartle continued, is how far the Council wants Mr. Melville to go before he is required to apply to the City for a precise plan on his alteration; also, there are certain Code violations that may be occurring which would require Council relief. Neither he nor Building Superintendent McKinnon, under present interpretations of the regulations, can grant building permits, and Council guidance is needed. Mayor Isen stated that the precise plan would go into effect when the existing buildings are demolished and new improvements are put up -- the question here is one of getting off busy

Carson Street and whether the parking area is to be rock, dirt, or asphalt.

Mr. Melville advised, at Councilman Uerkwitz' question, that he is not expanding the existing parking lot of seven spaces. Mr. Melville further indicated his willingness to pave the parking lot according to City specifications and that the necessary permits will be obtained. Traffic Engineer Horkay requested that it be required that Mr. Melville work with him on the exit and entrance; Mr. Melville was in agreement to do so. It was the recommendation of Councilman Uerkwitz that this request be presented in writing as any other application, with necessary Staff recommendations, this procedure appearing completely unorthodox to him. Councilman Wilson was in support of this position -- why take action tonight, it can be held for two weeks and presented with Staff recommendations.

Mr. Boll, 2521 West Carson Street, described the status of the subject property over the last several years -- to pave 80 ft. for seven cars does not make sense to him, and he is opposed to the request. Further, the subject property is 2 ft. grade higher than his property, and, Mr. Boll stated, that is not right. Mr. Melville advised that they are working to a grading plan, and as much as possible so that the flow of water will be to Carson Street and will not be on Mr. Boll's property.

Further pointed out by Mr. Boll was the moving back of a garage 35 ft. on the subject property without a building permit. Mr. Melville clarified that the building was moved pending disposal -- it can either be relocated on the blacktop, which is what he would like to do, or it will be demolished.

Councilman Uerkwitz stated that while Mr. Melville's efforts are undoubtedly commendable there are so many unanswered questions in this matter that he cannot possibly vote for it until there is some instruction back from Staff (which represents a time period of two weeks) that tells him that what Mr. Melville is trying to do is as legitimate as anyone else.

MOTION: Councilman Sciarrotta moved that Mr. Melville be permitted to move and blacktop his existing parking lot on the left side of the building in question, subject to proper grade by Engineering and approval of parking layout with exits and entrances by Traffic Engineer Horkay. The motion was seconded by Councilman Johnson, and carried as follows:

AYES: COUNCILMEN: Johnson, Miller, Sciarrotta,  
and Mayor Isen.

NOES: COUNCILMEN: Uerkwitz, Wilson.

ABSENT: COUNCILMEN: Beasley.

Councilman Johnson stated that he so voted because it is subject to a precise plan which means it will be changed, and is a temporary thing so far as he is concerned.

\* \* \* \*

At 10:45 P.M. Councilman Uerkwitz moved to adjourn to April 22, 1969 at 7:00 P.M. His motion was seconded by Councilman Sciarrotta, and roll call vote was unanimously favorable. Absent: Councilman Beasley.

Ava Cripe  
Minute Secretary

21.

Council Minutes  
April 8, 1969

*Vernon W. Coil*

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

APPROVED :

*Albert Isaac*

Mayor of the City of Torrance