

I N D E XCity Council - April 22, 1969 - 7:00 P.M.

<u>SUBJECT:</u>	<u>PAGE</u>
<u>OPENING CEREMONIES:</u>	
1. Call to Order	1
2. Roll Call	1
3. Flag Salute	1
4. Invocation	1
<u>STANDARD MOTIONS:</u>	
5. Approval of Minutes	1
6. Approval of Demands	1
7. Motion to Waive Further Reading	2
<u>PRESENTATIONS:</u>	
8. Workmen's Compensation Insurance Premium Refund	2
8A. McDonald's Restaurant - Torrance Area Youth Band	2
<u>NON-CONTROVERSIAL ITEMS:</u>	
9. Expenditures over \$300	3,4
10. Claim of Celestron Pacific, Inc.	4
11. Claim of Edward J. Frodyma	4
12. Claim of Leonard Hackett	4
13. Water System Manager re: Capital Improvement Project W10	5
14. Annual Joint Dinner Meeting, Council and Park and Recreation Commission	5
<u>CONTINUED HEARING:</u>	
15. Underground Utility District #1, Resolution 69-70	5,6
<u>PLANNING AND ZONING HEARINGS:</u>	
16. Hawthorne/Skypark Study Area	13,14,15
17. Appeal of Precise Plan 69-2, Joseph S. Schaefer	13,14,15
18. ZC 69-8, C.N. Cake	15,16
19. ZC 69-9, Tormed (John Sainsevain)	16,17
20. Continued Hearing, ZC 69-2, Henry Mahler	8,9
<u>PLANNING AND ZONING MATTERS:</u>	
21. Ordinance No. 1965 re: ZC 69-1, Tee Pee Company	9
22. Ordinance No. 1966 re: ZC 69-5, Reorganized Church of Jesus Christ of the Latter Day Saints	9
23. Ordinance No. 1967 re: ZC 68-28, Torrance Planning Commission	10
24. B.D. Top Soil Company, Request for Relief	10
<u>STREETS AND SIDEWALKS:</u>	
25. Resolution No. 69-72 re: Mobil Oil Corp. franchise	10,11
26. Ordinance No. 1968 regulating parking on driveways and public or private property	11
27. Resolution No. 69-73 re: agreement for maintenance of certain State highways in the City	11
28. Release of Subdivision Bond - Tract No. 28619, Peninsula Enterprises	11
29. Gal-Cap Enterprises - One year extension and reduction of subdivision bond - Tract No. 27475	12
30. Final Tract Map No. 24934 - Bradford Investment, Subdivider	12
31. Opening of 232nd Street - Resolutions No. 69-74 and 69-75	22,23,24
<u>SEWERS AND DRAINAGE:</u>	
32. Acquisition of Easement for installation of sanitary sewer in future 234th Street	25

Ava Cripe  
Minute Secretary

i.

Council Minutes  
April 22, 1969

<u>SUBJECT:</u>	<u>PAGE</u>
<u>BUILDINGS, STRUCTURES, AND SIGNS:</u>	
33. Request for relief from Emergency Ordinance 1937, Alter Building Company, Cecil Alter	25
<u>PERSONNEL MATTERS:</u>	
34. Reclassification of Intermediate Typist Clerk position in City Clerk's office	25
35. Resolution No. 69-76 amending Salary Resolution and Class Specification for Data Processing Manager	25,26
36. Ordinance No. 1969 authorizing amendment to Retirement Contract	17,18,19
37. Ordinance re: transfers and reassignments	6
38. Proposed Employee Relations Ordinance	6
39. Discharge of Walter M. Nollac	7,8
<u>LIBRARY OPERATIONS:</u>	
40. Appraiser for Southeast Torrance Branch Library	26
41. Excused absence for Library Commissioner George Kurtz	26
<u>COMMUNITY AFFAIRS:</u>	
42. Resolution No. 69-68 congratulating Hi-Shear Corporation	6
43. Resolution No. 69-71 congratulating Los Angeles Police Officer George B. Surber for Medal of Valor	6
<u>ITEMS NOT OTHERWISE CLASSIFIED:</u>	
44. Weed Abatement Program - 1969 - Resolution No. 69-77	26
45. Ordinance No. 1971 re: Utility Users' Tax	19,20,21
<u>PROCLAMATIONS:</u>	
46. National Library Week - April 2-12, 1969	2
47. March of Dimes Healthy Baby Day - May 1, 1969	2
48. Armed Forces Day - May 17, 1969	3
Resolution No. 69-69 declaring Tenth Annual Armed Forces Day to the memory of Dwight D. Eisenhower	
<u>SECOND READING ORDINANCES:</u>	
49. Ordinance No. 1962	12
50. Ordinance No. 1963	12
51. Ordinance No. 1964	13
52. Resolution No. 69-78 opposing legislation reducing municipal revenue	26,27
<u>ORAL COMMUNICATIONS:</u>	
53. City Manager Ferraro re: "Torrance Day" in Sacramento	27
54. City Manager Ferraro re: presentation of 20 year pin to Bus Superintendent Chamberlain	27
55. City Attorney Remelmeyer re: amicus curiae brief	27
56. City Librarian West re: Torrance as Federal Depository Library per action of Congressman Anderson	27
57. Councilman Beasley re: resignation of Civil Service Commissioner George Morehart	27
58. Councilman Johnson re: budget funds for small park sites	27
59. Councilman Johnson re: budget funds for street openings	28
60. Councilman Miller re: contractual arrangement for public use of private land	28
61. Councilman Miller re: National Supply's "Founders Day" and the Pueblo Park	28
62. Councilman Sciarrotta requesting Personnel Session	28
63. Councilman Sciarrotta re: the death of Guatamalan citizen, Mr. Arenales	28

<u>SUBJECT:</u>	<u>PAGE</u>
<u>ORAL COMMUNICATIONS (Cont.)</u>	
64. Councilman Uerkwitz re: Progress Report on Del Amo Blvd.	28
65. Councilman Uerkwitz re: "Bach to Rock" concert	28
66. Councilman Wilson re: Pueblo Community Club fiesta	28
67. Mayor Isen re: use of Ocean Avenue as truck route	28
68. Mayor Isen re: jet aircraft in area	28
69. Mayor Isen re: Bill 711	29
70. Mayor Isen re: proposed legislation creating regional transportation agency	29
71. Mayor Isen re: school taxes and joint meeting with School Board	29
72. Mr. John Crain, invitation to Friends of the Library second annual Used Book Sale	29

Adjourned at 11:10 P.M. to Monday, April 28, 1969 at 4:30 P.M.

\* \* \* \*

April 22, 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 22, 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 Beasley, Johnson, Miller, Sciarrotta, Uerkwitz, Wilson, and Mayor Isen. (Councilman Beasley left the meeting at 10:35 P.M.)

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

\* \* \* \*

Introduced at this time were two special groups in attendance of Girl Scouts and Campfire Girls, who were warmly applauded.

Mayor Isen extended a "welcome back" to City Attorney Remelmeyer and Bus Superintendent Marshall Chamberlain who have both returned to their desks after a lengthy illness.

\* \* \* \*

3. FLAG SALUTE:

Campfire Girl, Miss Mary Atha, led in the flag salute, at the request of Mayor Isen.

4. INVOCATION:

The invocation was given by Reverend Daniel B. Weaver, Del Amo Southern Baptist Church.

STANDARD MOTIONS:

5. APPROVAL OF MINUTES:

Councilman Sciarrotta moved that the minutes of the regular meeting of April 8, 1969 be approved as recorded. His motion was seconded by Councilman Uerkwitz, and there were no objections.

6. APPROVAL OF DEMANDS:

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

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

NOES: COUNCILMEN: None.

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.

\* \* \* \*

An enlightening explanation of Council procedure was furnished by Mayor Isen, a large number of people being in attendance at a Council meeting for the first time. An interesting statistic was offered by Mr. Bob Andrew of the Long Beach Press-Telegram in that the agenda material for this meeting weighs in at six pounds!

\* \* \* \*

This being the first in a series of meetings with homeowners groups in attendance, Mayor Isen introduced Mr. Joseph B. Alario, President, Del Thorne Homeowners Association. Mr. Alario lauded the Council, on behalf of his membership, for their untiring efforts in behalf of the City of Torrance; the Del Thorne homeowners are most appreciative. Mr. Alario also conveyed the concern of these homeowners in the areas of zoning and planning, and urged that the Council recognize their responsibility in this regard.

\* \* \* \*

PRESENTATIONS:

## 8. Refund of Workmen's Compensation Insurance Premium.

Personnel Director Donovan first introduced two members of the Torrance Foreman's Safety Committee in attendance -- its chairman, Mr. Tom Cowen and Mr. Les Breitenfeldt -- followed by the introduction of Mr. Bill Roberts, State Compensation Insurance Fund, who presented, with much pleasure, dividend checks totalling \$94,687.64, earned by the City of Torrance.

## 8A. McDonald's - Torrance Area Youth Band.

Further contributions were forthcoming in a presentation by Mr. Firth, McDonald's Restaurants, in the amount of \$50.00, designated for the Torrance Area Youth Band. Mayor Isen, on behalf of the Council, expressed their appreciation.

PROCLAMATIONS:

46. NATIONAL LIBRARY WEEK - April 2-26, 1969.

47. MARCH OF DIMES HEALTHY BABY DAY - May 1, 1969.

So proclaimed by Mayor Isen.

48. (1) PROCLAMATION - ARMED FORCES DAY - May 17, 1969.

Mayor Isen so proclaimed.

- (2) RESOLUTION declaring the 10th Annual Armed Forces Day to the memory of Dwight D. Eisenhower.

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

RESOLUTION NO. 69-69

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE DEDICATING THE TENTH ANNUAL ARMED FORCES DAY OF THE CITY OF TORRANCE TO THE MEMORY OF DWIGHT DAVID EISENHOWER, GENERAL OF THE ARMY AND PRESIDENT OF OUR COUNTRY.

Councilman Sciarrotta moved for the adoption of Resolution No. 69-69. His motion, seconded by Councilman Johnson, was unanimously approved by roll call vote.

NON-CONTROVERSIAL ITEMS:

(Item #13 considered separately.)

9. BUDGETED, REIMBURSABLE AND SPECIAL EXPENDITURES OVER \$300.

A. BUDGETED:

1. \$895.00 to Glen Bowen Company for repair of 13 only leaking water-backflow prevention devices located in City Parks as requested by the Park Department.
2. \$314.80 to Lecal Company, Incorporated for chain and sprocket parts needed to repair a downed mobile street sweeper (Unit #696), as requested by the City Garage.
3. \$381.59 to Los Angeles Sales and Service Corporation for the repair of Fire Station #1 steel rolling doors as requested by the Fire Department. (Emergency repair).
4. \$517.13 to Econolite Corporation for one only traffic controller cabinet to be used as an immediate replacement unit for an existing damaged controller. Request made by the Traffic and Lighting Department.
5. \$303.99 to Southwest Tractor for repair parts needed to overhaul the transmission on a downed tractor (Unit #959).
6. \$1645.88 to Centerline Products for 550 gallons of red, white and yellow street marking paint requested by the Traffic and Lighting Department for use on City streets.
7. \$455.70 to Cameo, Incorporated for 14 8-ft. aluminum street marking stencils used for marking warning signs in the street. Requested by Traffic & Lighting.

8. \$466.56 to Reliable Foundry for three reducing pipe fittings for use on the Crenshaw Boulevard Improvement Program as requested by the Water Department.
9. \$366.03 to M & W Electric Motor Service for one only 2" homelite water pump requested by the Water Dept.
10. \$4312.50 to Caligraphics Printing and Publishing Co. for the printing of six issues of the "Recreation Reporter"
11. \$377.22 to Gardena Flag Company for a total of 13 only United States and 12 only California Flags, requested by the Fire Department and Custodial Department for replacements.

B. REIMBURSABLE ITEMS:

12. \$500.00 to Traffic Signal Maintenance Company for four used vehicle traffic counters requested by the Traffic and Lighting Department as replacements for units recently destroyed in a fire while being repaired by the County of Los Angeles. New units sell for \$475.00 each. A claim to the County of Los Angeles has been processed for reimbursement.
13. \$528.83 to Park-Son, Incorporated for six water valves and tapping sleeves for installation at the Gianni-Torino-Abco Construction Services. These parts are requested by the Water Department and payment has already been received.

C. SPECIAL EXPENDITURES:

14. \$787.50 to Osborne-Kemper-Thomas, Inc. of Ohio for 100 special design ceramic plaques selected for Council Awards "as needed".
  15. \$627.90 to H.W. Wilson Company for periodical subscriptions for all Torrance libraries as requested by the City Librarian.
  16. \$635.64 to Perc B. Sapsis, Inc. for 107 adult and 48 juvenile books.
10. CLAIM of Celestron Pacific, Inc. for property damages on January 20, 1969, at 2430 Amsler, Torrance. Recommendation of City Clerk that said claim be denied and referred to the City Attorney.
  11. CLAIM of Edward J. Frodyma for damages to his vehicle on March 2, 1969 at Crenshaw Boulevard and 184th Street. Recommendation of City Clerk that said claim be denied and referred to the City Attorney.
  12. CLAIM of Leonard Hackett for vehicle damages on March 6, 1969, at 233rd Street and Hawthorne Boulevard. Recommendation of City Clerk that said claim be denied and referred to the City Attorney.

14. Communication from Park and Recreation Commission announcing the date for the annual joint dinner meeting with the City Council. (June 25, 1969)

MOTION: Councilman Uerkwitz moved to concur with recommendations on Items #9,10,11,12, and 14. His motion was seconded by Councilman Johnson, and carried, as follows:

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

NOES: COUNCILMEN: None.

13. Water System Manager requesting authorization to proceed with construction of Capital Improvement Project W10, comprised of a 16-inch main, approximately 4,200 feet in length, along Van Ness Avenue from 190th Street to Del Amo Boulevard, at an estimated cost of \$47,000.

Councilman Uerkwitz reported on his investigation of this request, deeming it appropriate at this time. He, therefore, MOVED to concur with the request of the Water System Manager for authorization to proceed with construction of Capital Improvement Project W10, as above stated. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

CONTINUED HEARING

15. UNDERGROUND UTILITY DISTRICT #1  
RESOLUTION of intention to establish an Underground Utility District No. 1, with recommendations re: Street Lighting.

Sr. Administrative Assistant Jackson advised that a report on the street lights will be forthcoming, requesting that the Council take action on the Resolution designating the District only at this time.

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

RESOLUTION NO. 69-70

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE DESIGNATING TORRANCE BOULEVARD BETWEEN MADRONA AVENUE ON THE EAST AND ANZA AVENUE ON THE WEST AS AN UNDERGROUND UTILITY DISTRICT AND ORDERING THE REMOVAL OF POLES, OVERHEAD WIRES AND ASSOCIATED OVERHEAD STRUCTURES WITHIN THE DESIGNATED AREA AS PROVIDED IN SECTION 77.1.21 OF THE TORRANCE MUNICIPAL CODE.

Councilman Uerkwitz moved for the adoption of Resolution No. 69-70. His motion, seconded by Councilman Sciarrotta, was unanimously approved by roll call vote.

It was the request of Councilman Uerkwitz that the Citizens' Advisory Committee for Community Action and Goals be advised of the progress on the Underground Utility Districts.

COMMUNITY AFFAIRS:

42. RESOLUTION No. 69-68 congratulating the Ordnance Division of Hi-Shear Corporation on being named supplier of the year for 1968.

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

RESOLUTION NO. 69-68

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE CONGRATULATING THE ORDNANCE DIVISION OF HI-SHEAR CORPORATION ON BEING NAMED SUPPLIER OF THE YEAR FOR 1968.

Councilman Wilson moved for the adoption of Resolution No. 69-68. His motion was seconded by Councilman Miller, and roll call vote was unanimously favorable.

43. RESOLUTION congratulating Los Angeles Police Officer George B. Surber for receiving the Medal of Valor.

A needed correction was noted by City Clerk Coil - the address in the first paragraph of the Resolution should be 1109 Elm Avenue, Torrance.

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

RESOLUTION NO. 69-71

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE CONGRATULATING LOS ANGELES POLICE OFFICER GEROGE B. SURBER FOR RECEIVING THE MEDAL OF VALOR.

Councilman Sciarrotta moved for the adoption of Resolution No. 69-71, to be permaplaqued. The motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

PERSONNEL MATTERS:

In order to accomodate those present on the following matters, Mayor Isen requested that they be continued, to permit further study:

37. ORDINANCE regulating transfers and reassignments.  
38. Proposed Employee Relations Ordinance.

MOTION: Councilman Sciarrotta moved that the Council adjourn to Monday, April 28, 1969, at 4:30 P.M. for consideration of agenda items #37 and #38. His motion was seconded by Councilman Wilson, and there were no objections.

## 39. Discharge of Walter M. Nollac.

Mayor Isen advised that a hearing for reconsideration of the Civil Service Commission recommendation for discharge has been requested by Mr. Nollac.

Mr. Nollac was present to elaborate on his request, stating that a total of 57 charges were filed by the City Manager, with exoneration by the Civil Service Commission on all but 4 charges -- two for inefficiency, and two for failure to perform duty; there were no charges of misconduct or incompetency sustained. It was further stated that the four sustained charges involve a highly controversial and technical point on whether public bidding applies to sewer reimbursement districts even though ordinances do not specifically make it so, and feels it extremely important that the Council hear his appeal for the following reasons: (1) It has become obvious that present ordinances and portions of the Charter are ambiguous and conflicting. New legislation is needed and the Council needs the background of this case to make such a determination, and it is imperative that such ambiguities and conflicts be resolved otherwise future subdivisions and developments will be hampered. (2) A hearing on this case is needed in order to preserve the Civil Service system and maintain employee morale; and (3) the Civil Service Commission, by its action, has placed its interpretation on City Council policies and intentions, and it should be determined by this Council whether or not their action was correct.

In conclusion, Mr. Nollac stated that this is the second time his career has been placed in jeopardy -- having been exonerated from the first charge against him, cleared by the District Attorney, he could have chosen to resign and go elsewhere, but he did not do so -- he has helped to build this City these last nine years; this is his job, and he feels that he has shown his faithfulness and devotion to the City of Torrance and to this Council, praying that the requested hearing be held quickly and fairly, feeling that he deserves a better lot.

At Mayor Isen's request, City Attorney Remelmeyer outlined the appropriate procedure: the Council should, pursuant to Mr. Nollac's request, set a date and time certain for hearing this matter, such date being at the discretion of the Council; at the time of the hearing, additional evidence should not be heard, and the transcript of the Civil Service Commission hearings should be reviewed by the Council, such transcript containing all of the testimony and exhibits. Mr. Remelmeyer further advised that this transcript will be available in the City Clerk's office; (due to the size of the transcript it is impractical to duplicate it), and each Councilman should avail himself of it prior to a hearing.

It was the further suggestion of City Attorney Remelmeyer that at the hearing the Council should hear the arguments of each counsel, based on the transcript, and then make the decision, pointing out that the Council may either uphold the action of the Civil Service Commission, or may suspend Mr. Nollac for some period of time (the length of time being somewhat indeterminate because of a lack of clarity in the ordinances and statutes), or the Council may exonerate Mr. Nollac, finding him not guilty of any of the charges and restoring him to duty.

Pointed out as well by City Attorney Remelmeyer was the fact that the courts have ruled that the Council sitting in this capacity as a Board of Review, does not sit as legislators but, rather, in a quasi-judicial capacity; therefore, as with judges, the Council should not hear any arguments pro and con outside the Council Chambers at the time set for the hearing.

City Attorney Remelmeyer also advised that the Council is to be concerned only with the charges on which Mr. Nollac was found guilty; the Council cannot find him guilty of any charges where the Commission found him not guilty.

MOTION: Councilman Johnson moved that the signed request of Walter M. Nollac, dated April 21, 1969, and received in the City Clerk's office at 3:09 P.M., April 21, 1969, be filed in connection with the subject case. The motion was seconded by Councilman Uerkwitz, and roll call vote was unanimously favorable.

Mr. John Kirkpatrick recommended that the City Attorney's Opinion in reference to the Hamilton case in 1964 be reviewed, specifically in reference to what should and can be heard, feeling that it would be of interest to the Council.

Mayor Isen deemed Mr. Kirkpatrick out of order, clarifying that the subject case is an administrative matter, instituted by the City Manager under his authority, with the Council merely serving in a quasi-judicial capacity, and he does not feel that anyone should tell the City Attorney or the City Manager what they are going to do to prepare their case before the Council. There will undoubtedly be dozens of suggestions but they should be matters of private discussion with the City Attorney or the City Manager but this Council should not participate in any discussion as to how they are going to conduct their cases.

MOTION: Councilman Sciarrotta that the hearing for Walter Nollac before this Council be set for Thursday, May 22, 1969, at 7:00 P.M. The motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

20. CONTINUED HEARING: 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.

Representing the proponent, Mr. Shap Kimes confirmed that a happy solution had been reached, and a compromise satisfactory to all had been achieved.

MOTION: Councilman Uerkwitz moved to concur with the recommendation of the Planning Director that the City Council adopt at the earliest convenient date an ordinance rezoning the subject property C-R Precise Plan; said ordinance to become effective upon completion of the following:

1. Removal or demolition of the existing single-family residence upon the property;
2. Expansion of the parking facilities to meet the Code requirements of the City of Torrance, including number of spaces, paving, striping, landscaping, walls, etc.

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

PLANNING AND ZONING MATTERS:

21. ORDINANCE reclassifying property described in Zone Change 69-1.

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

ORDINANCE NO. 1965

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 ON THE SOUTH SIDE OF MARICOPA STREET APPROXIMATELY 250 FEET EASTERLY OF AMIE AVENUE, AND DESCRIBED IN ZONE CHANGE 69-1.

(Tee Pee Company)

Councilman Miller moved for the approval of Ordinance No. 1965 at its first reading. His motion was seconded by Councilman Sciarrotta, and roll call vote was unanimously favorable.

22. ORDINANCE reclassifying property described in Zone Change 69-5.

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

ORDINANCE NO. 1966

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 ON THE SOUTH SIDE OF MARICOPA STREET BETWEEN AVIS AVENUE AND AMIE AVENUE, AND DESCRIBED IN ZONE CHANGE 69-5.

(Reorganized Church of Jesus Christ  
of the Latter Day Saints)

Councilman Sciarrotta moved for the approval of Ordinance No. 1966 at its first reading. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

Reiterated by Councilman Uerkwitz was his feeling that the subject development should be in the downtown area.

23. ORDINANCE reclassifying property described in Zone Change 68-28.

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

ORDINANCE NO. 1967

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 ON THE NORTH SIDE OF ARTESIA BOULEVARD BETWEEN CASIMIR AVENUE AND VAN NESS AVENUE AND DESCRIBED IN ZONE CHANGE 68-28.  
(Torrance Planning Commission)

Councilman Uerkwitz moved for the approval of Ordinance No. 1967 at its first reading. His motion, seconded by Councilman Sciarrotta, carried as follows:

AYES: COUNCILMEN: Beasley, Miller, Sciarrotta, Uerkwitz,  
Wilson, and Mayor Isen.  
NOES: COUNCILMEN: None.  
ABSTAIN: COUNCILMEN: Johnson (may have a financial interest).

24. REQUEST OF B.D. TOP SOIL COMPANY.

The request of Mr. B.D. White, President, B.D. Top Soil Company, 20310 Madrona Avenue, for relief from a requirement for dedication, with which it is impossible to comply, was reviewed.

MOTION: Councilman Sciarrotta moved that the relief requested by Mr. White be granted. His motion was seconded by Councilman Miller, and roll call vote was unanimously favorable.

It was requested by Mayor Isen that in cases such as this where the proponent is not the fee owner and is powerless to deliver any requirements pertaining to dedication that an exception be put in the Code, based upon nominal rentals to a certain amount or the amount of improvements being made so that problems similar to this would not be created. Mayor Isen thereupon MOVED that the matter be referred to Staff and to the City Attorney for a method of taking care of this type problem in the future. The motion was seconded by Councilman Johnson, and there were no objections.

STREETS AND SIDEWALKS:

25. RESOLUTION declaring intention to award franchise to Mobil Oil Corporation and providing for publication of notice of hearing.

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

RESOLUTION NO. 69-72

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE DECLARING ITS INTENTION TO AWARD A FRANCHISE TO MOBIL OIL CORPORATION TO CONSTRUCT, OPERATE AND MAINTAIN PIPELINES FOR THE TRANSPORTATION OF HYDROCARBON SUBSTANCES IN THE CITY OF TORRANCE, CALIFORNIA, AND PROVIDING FOR THE PUBLICATION OF NOTICE OF PUBLIC HEARING THEREON.

Councilman Johnson moved for the adoption of Resolution No. 69-72. His motion was seconded by Councilman Sciarrotta, and roll call vote was unanimously favorable.

26. ORDINANCE regulating parking on driveways and public or private property.

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

ORDINANCE NO. 1968

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE ADDING SECTION 61.6.28 TO DIVISION 6 OF THE TORRANCE MUNICIPAL CODE TO REGULATE PARKING ON DRIVEWAYS AND PUBLIC OR PRIVATE PROPERTY.

Councilman Uerkwitz moved for the approval of Ordinance No. 1968 at its first reading. His motion, seconded by Councilman Miller, was unanimously approved by roll call vote.

27. RESOLUTION approving agreement for maintenance of certain State Highways in the City and directing the Mayor and City Clerk to execute the same on behalf of the City.

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

RESOLUTION NO. 69-73

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE APPROVING AGREEMENT FOR MAINTENANCE OF CERTAIN STATE HIGHWAYS IN THE CITY OF TORRANCE AND DIRECTING THE MAYOR AND CITY CLERK TO EXECUTE THE SAME ON BEHALF OF THE CITY.

Councilman Sciarrotta moved for the adoption of Resolution No. 69-73. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

28. RELEASE OF SUBDIVISION BOND - TRACT NO. 28619, PENINSULA ENTERPRISES. (Bonding Company, Pacific Indemnity Company; Bond No. 265017; Amount, \$21,900.00.)

MOTION: Councilman Beasley moved to concur with the recommendation of the Acting City Engineer that the subject bond be released. His motion, seconded by Councilman Miller, was unanimously approved by roll call vote.

29. . REQUEST OF GAL-CAP ENTERPRISES for one year extension to complete public works improvements in Tract No. 27475 and to reduce subdivision bond from \$27,000.00 to \$17,600.00 to cover work still remaining.

MOTION: Councilman Miller moved to concur with the recommendation of Acting City Engineer Weaver that the above requests be granted. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

30. FINAL TRACT MAP NO. 24934; Subdivider, BRADFORD INVESTMENT.

MOTION: Councilman Sciarrotta moved to concur with the recommendations of the Acting City Engineer and Planning Director that subject final tract map be approved. His motion was seconded by Councilman Johnson, and roll call vote was unanimously favorable.

SECOND READING ORDINANCES:

49. ORDINANCE NO. 1962.

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

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 Uerkwitz moved for the adoption of Ordinance No. 1962 at its second and final reading. His motion was seconded by Councilman Sciarrotta, and roll call vote was unanimously favorable.

50. ORDINANCE NO. 1963.

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

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 adoption of Ordinance No. 1963 at its second and final reading. His motion, seconded by Councilman Uerkwitz, was unanimously approved by roll call vote.

51. ORDINANCE NO. 1964.

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

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 Johnson moved for the adoption of Ordinance No. 1964 at its second and final reading. His motion, seconded by Councilman Wilson, was unanimously approved by roll call vote.

\* \* \* \*

A 10-minute recess was ordered by Mayor Isen, the hour being 8:05 P.M.

\* \* \* \*

PLANNING AND ZONING HEARINGS:

(The following two items were considered together.)

16. Report requested by Council on Hawthorne/Skypark Study Area, with recommendations.
17. APPEAL OF PRECISE PLAN 69-2, JOSEPH S. SCHAEFER.  
Appeal of the Planning Commission decision to deny a request for approval of a Precise Plan of Development for construction and operation of a walk-up restaurant on property located on the east side of Hawthorne Boulevard between 234th Street and 235th Street.

It was the comment of Councilman Johnson that it would appear that problems will continue in this area until the planning is revised; it is his recommendation that the feasibility of the 1911 Act be investigated for this prime area which would richly benefit from having all the streets and improvements in, along with minimum requirements as to frontage, etc. Councilman Johnson that he would not favor either State or Federal redevelopment for this area.

Councilman Miller stated that he too would like to know the pros and cons of the 1911 Act, and exhaust all those possibilities prior to any involvement with redevelopment.

Mayor Isen expressed his opposition to redevelopment -- an example of Federal redevelopment is immediately to the south -- and he does not wish to play "big brother" in this case, Mayor Isen

voiced his resentment of taking private property under any redevelopment act, and can fully appreciate the feelings of the property owners here -- under such a plan, the City will become a proprietor ("big brother"); they will pick up the entire tract by condemnation, whether it is desired to sell or not, to be resold to someone in a position to buy a number of parcels, or pay more, etc. Admittedly, Mayor Isen continued, a problem exists here, but the City is doing nothing involving the rest of Hawthorne Boulevard with any harsh type, "big brother" procedure -- he recalled as well his opposition to the animal hospital which was permitted, and felt that Staff should have advised the Council of the many problems existing at that time.

Continuing, Mayor Isen further stated that he feels confident the private parties involved here would not want the property taken from them through condemnation; he does not think the City has to become a landowner with the millions of dollars involved here to pick up the tract, were they willing. It would be his recommendation (as outlined on Page 4 of the Report)... "if purchase by the City should prove to be impractical or impossible, the Staff and Committee believe that an assessment district should be formed under the provisions of the 1911 and 1913 State Improvements Acts and no development whatsoever should be allowed in the area until all improvements have been made...."; Mayor Isen would favor an involuntary assessment act recognizing that such will only enhance this very valuable property and will provide for an orderly plan for roads, curbs, gutters, alleys, sewers, etc. and still permit private ownership.

Pointed out next by Mayor Isen was the Improvement Act of 1911 (Page 8 of the Report) which states it may be initiated by the Council without a petition and outlines all the procedures for the accomplishment of this Act -- in his opinion, the only way to go, and fair and equitable to the property owners, and in line with American principles.

It was the observation of Councilman Miller that he is in agreement with the Mayor's conclusions but he cannot stomach his analysis. Mr. Miller then stated that if it can be done by the people, then it should be so done -- but if it is found that it cannot be done and there is a need for financing, he certainly would turn for help from the Federal or State government for that necessary help. Councilman Miller rerequested the study of the 1911 Act to see what can be done.

The economy will take care of the problem, in the opinion of Councilman Uerkwitz -- the biggest concern being that the ground is packaged in sufficiently large lots to avoid any type of "strip" development which might ultimately end up in a redevelopment project at a later date. It is also his feeling that the 1911 Act will provide the necessary means for the property owners to go ahead on their own on a private enterprise basis -- Mr. Uerkwitz would be in favor of the study on the 1911 Act.

Councilman Beasley added that the 1911 Act would take care of the drainage, street patterns, etc. but what about the unmatched lot lines? The alleys probably will have to be vacated, streets widened, etc. -- a \$4000 lot will end up a \$20,000 lot, according to Councilman Beasley. Some of the Councilmen commented that they are \$20,000 lots now.

MOTION: Councilman Johnson moved that Staff and the Planning Commission study the area in determining the feasibility of the 1911 Act for the subject area, accompanied by recommendations on the street pattern and all factors involved in developing a good buildable area. The motion was seconded by Mayor Isen, and approval was unanimous.

Mayor Isen further requested that City Attorney Remelmeyer look into the feasibility of having requirements that a lot will not be buildable unless it is a certain number of square feet. This is quite a step forward for government, Mayor Isen added, but it is merited by this situation.

Attention was now directed to Item #17 - Precise Plan 69-2.

The proponent, Mr. Joseph Schaefer, owner of 4 of the 30 ft. wide lots on Hawthorne Boulevard, reviewed his oft-repeated difficulties in hopefully developing this property with an Arby's Restaurant, and asked for favorable consideration by the Council.

Next to speak was Mrs. Thelma Turner who added to Mr. Schaefer's comments and requested that his property be released for development; the adjacent lots have also been sold and will be developed in whatever manner the City desires.

Discussion followed, and Mayor Isen asked that Mrs. Turner and Mr. Schaefer work with the City, pointing out the responsibility of the Council in obtaining the very best that can be had for this street.

MOTION: Councilman Sciarrotta moved that PP 69-2 be DENIED, without prejudice. The motion was seconded by Councilman Uerkwitz, and roll call vote was unanimously favorable.

18. ZONE CHANGE 69-8, C.N. CAKE.

Request for change of zone from C-3 to R-3 on property located on the east side of Crenshaw Boulevard approximately 200 feet south of Rolling Hills Road. Recommended for approval, subject to a Precise Plan of Development.

City Manager Ferraro advised that developments have occurred this date which necessitate his requesting that this case be held for 30 days.

Mr. C.N. Cake was present and at a loss to understand such a request. Mr. Ferraro advised that legal aspects are involved, and any discussion should be in a personnel session with the Council. It was the recommendation of City Attorney Remelmeyer, in the event that an executive session is proposed, that it be at the time of a regular meeting -- it was agreed by the Council that there be an executive session for the purpose of legal advice at the time of the next regular Council meeting on Tuesday, April 29, 1969.

MOTION: Councilman Miller moved to hold ZC 69-8 until April 29, 1969. His motion was seconded by Councilman Uerkwitz, and there were no objections.

19. ZONE CHANGE 69-9, TORMED (JOHN SAINSEVAIN)

Change of zone from M-2 to C-3 on property located on the south side of Lomita Boulevard approximately 1225 feet easterly of Madison Street. Recommended for approval subject to a Precise Plan of Development.

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

Mayor Isen questioned C-3 Precise Plan zoning and the uses that might result should any of the property be sold -- acknowledging the intent of the proponent to create a great medical center, along with his integrity -- but it seems to the Mayor that a medical-type zone would be superior.

Mr. Sainsevain was present, and confirmed that it is their intent to develop the 53½ acres entirely and completely in a medical complex. Mr. Sainsevain stated that he would have no objections to a medical zone; however, 40 acres have already been zoned C-3, and the remaining 13½ acres are now before the Council for C-3 zoning to make it consistent with earlier action; a lender might think it peculiar. It seems to Mayor Isen that a medical zone would be more valuable inasmuch as it would not impair the investor's investment. Mr. Sainsevan stated that he would have no objections just so long as the zoning is consistent.

It was the suggestion of Planning Director Shartle that if it is felt by the Council that the subject request is proper, that the Council proceed on the C-3 zone, a precise plan having already been submitted to the Planning Commission, along with a stipulation from Tormed as to the intended uses -- then instruct Staff to prepare a hospital-medical-type zone, and then readvertise the entire area. This met with the approval of the Council.

Mayor Isen inquired if anyone else wished to be heard.

Responding, Mr. Ted Sparks, Vice President, R.G. Harris Company, stated that they are opposed to the adding of this last parcel to the hospital complex and the changing of the zone from its present M-2 zoning. It is their feeling that this is a very valuable piece of industrial property; they hate to see the City lose it; and hate to see industry deprived of using this piece of property. Mr. Sparks also expressed the hope that there is a sufficiently large buffer zone to protect the hospital complex from the 24-hour per day industrial operations in this area, the industry having been there first.

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

MOTION: Councilman Sciarrotta moved to concur with the recommendations for approval of ZC 69-9 from M-2 to C-3 subject to a Precise Plan for the entire area. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

Mayor Isen inquired if Mr. Sainsevain would stipulate with the City that Tormed's uses will be medical, dental, and allied activities. Mr. Sainsevain so stipulated. A prepared stipulation to that effect will be furnished by City Attorney Remelmeyer.

Further action was taken:

MOTION: Mayor Isen moved that the Planning Director and the Planning Commission be instructed, per earlier statements at this meeting by him and Planning Director Shartle, to proceed with the rezoning of the subject area into a newly created hospital-medical zone. The motion was seconded by Councilman Johnson, and there were no objections.

36. ORDINANCE authorizing amendment to Retirement Contract between the City Council and the Board of Administration of the California Public Employees' Retirement System.

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

ORDINANCE NO. 1969

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY COUNCIL AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM.

Councilman Johnson moved for the approval of Ordinance No. 1969 at its first reading. His motion was seconded by Councilman Sciarrotta.

Prior to roll call vote on the motion, Mayor Isen inquired if anyone wished to speak for or against the proposed ordinance.

Mrs. Donna Turner, 4125 West 179th Street, stated that some interesting questions are raised by this ordinance -- if generous retirement benefits are the most effective and most productive use of tax money in recruiting Policemen, it occurs to her that it might be more beneficial to use the tax money available to raise the salaries of the men in the system and those being recruited into the system -- it has also been suggested that in not granting this request, citizens are, in a sense, turning their backs on the Policemen, which she does not feel is true. Mrs. Turner, further, does not feel that a request from a Policeman is necessarily sacrosanct and that it must be honored because it is from that group of people.

Also of concern to Mrs. Turner is the feeling of other City employees if this generous retirement program is passed -- is it likely that all City employees will eventually want this program, and would they be justified in asking for it, and can it be

afforded? A rather painful question to Mrs. Turner -- did this request of this group of employees come to the City Council because they felt they had assurance that it would be passed -- is such assurance because this particular group of people exerts a great deal of political influence and they feel confident that their request will be granted. Also questioned by Mrs. Turner was the propriety of a particular group having more political effect than a numerically much larger group.

In conclusion, Mrs. Turner noted that the plan is considered very desirable because it has already been adopted by the California Highway Patrol -- it does not seem to Mrs. Turner that the men, recruitment power, etc. of the California Highway Patrol, and the taxing power of the State of California, can be compared with the more limited area of the City of Torrance.

Councilman Uerkwitz responded to Mrs. Turner's remarks, stating that he has a different opinion on the longevity aspects, and salaries vs. retirement, and feels that retirement benefits certainly tend to promote longevity. Mr. Uerkwitz added that safety employees have a different position in this day and time than other employees; further, the California Highway Patrol plan was not approached with any idea of political pressure or anything else -- the bill has been found acceptable by many agencies -- and Councilman Uerkwitz is in favor of doing whatever can be done for the safety forces and feels that a retirement plan is very necessary.

Lieutenant Oates asked the question -- how many more Torrance policemen have to be killed before they are as good as the Highway Patrol, Los Angeles County, and LAPD?

Next to speak was Mrs. Margaret Virden, 22803 Cypress, who requested explanation of where the money to finance this program was coming from and the exact cost for same. Councilman Miller outlined the lengthy considerations on this matter over the past months and the yet-to-be determined exact method of financing.

Mr. Richard DeArmitt, Torrance Firefighters, added that the subject plan is not available to other employees, it is for safety employees of the Police and Fire Departments only -- further, there is pending legislation to make this a mandatory bill for every city in the State of California, nine counties in the State already having this bill.

Councilman Sciarrotta alluded to Mrs. Turner's earlier remarks, commenting that there is a difference between the other employees and the safety employees in that the safety employees must be more alert, more agile, etc., and at the age of 50 alertness and agility diminish somewhat. Councilman Sciarrotta pointed out that the Council has never given the safety employees something without compensating the other employees in some manner, so there is no doubt that all will be treated properly.

Added by Councilman Johnson was the fact that the California Highway Patrol plan is known to be a very good plan in terms of employee benefits, protection, etc.; secondly, by joining with the

CHP plan a very large amount of money is provided for the total operation which means that each participant actually pays less into it. Mr. Johnson also commented that there could be no such plan at the present time for miscellaneous employees that would parallel the subject plan, but there likely will be in the future, and miscellaneous employees most certainly will be requesting it; Councilman Johnson, for one, will be most willing to listen very carefully to this group at that time.

Councilman Beasley advised that the League of California Cities is very much opposed to this plan, as well as the passage of Bill 374 -- the League having pointed out that the cost in the cities will average from 13¢ to 27½¢ for the maintenance of the additional cost of the plan. It was further stated by Councilman Beasley that he is going to vote for this plan, but pointed out that the miscellaneous employees <sup>will</sup> appear before the Council in new wage negotiations shortly, and he certainly will look with much favor on treating them in some compensating way.

In the interest of clarification, Mayor Isen commented that the League is against Bill 374 (which is mandatory, and different from the one allowing home rule, and has nothing to do with the cost); the League favors the CHP bill as a bill. Mayor Isen then related the background of arriving at a retirement plan for safety employees -- this certainly cannot be put in a political category; as to humane and proper action for the employees, they need to be supported in the hard and dangerous work undertaken by young people joining the Police and Fire departments. Further pointed out by Mayor Isen was his long standing dedication to the proposition that City of Torrance employees should have the best standards of living in the State of California, and is evidenced by the wage scale enjoyed by most employees. Mayor Isen concluded, stating that he is heartily in favor of the proposed plan, and that the vast majority of residents in this City believe in supporting their local Police and Fire Departments, and will applaud what this Council is doing.

Roll call vote on Councilman Johnson's motion to approve Ordinance No. 1969 was unanimously favorable.

\* \* \* \*

At 9:28 P.M. Councilman Sciarrotta moved to recess as City Council and reconvene as the Redevelopment Agency. The motion was seconded by Councilman Uerkwitz, and there were no objections. A 10-minute general recess followed at 9:30 P.M.

\* \* \* \*

ITEMS NOT OTHERWISE CLASSIFIED:

45. A-ORDINANCE adding Chapter 25 to Division 2 of the Code relating to a Utility Users' Tax, including water.  
B-ORDINANCE adding Chapter 25 to Division 2 of the Code relating to a telephone, gas, electricity and cable television Users' Tax, excluding water.

At the request of Mayor Isen, City Clerk Coil assigned numbers to both ordinances and read title:

ORDINANCE NO. 1970

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE ADDING CHAPTER 25 TO DIVISION 2 OF THE TORRANCE MUNICIPAL CODE RELATING TO A UTILITY USERS' TAX.

ORDINANCE NO. 1971

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE ADDING CHAPTER 25 TO DIVISION 2 OF THE TORRANCE MUNICIPAL CODE RELATING TO A TELEPHONE, GAS, ELECTRICITY AND CABLE TELEVISION USERS' TAX.

MOTION: Councilman Uerkwitz moved for the approval of Ordinance No. 1970 at its first reading. His motion was seconded by Councilman Johnson.

The Council indicated they wished to discuss the two proposed ordinances.

Councilman Uerkwitz commented that he felt all utilities should be treated in the same manner, and can see no reason for excluding one utility from another, particularly in view of the pressing demands for money. Councilman Johnson stated that he would echo Councilman Uerkwitz' comments.

It was stated by Mayor Isen that nobody likes taxes, and the Utility Users' Tax is more tax reform than tax relief -- a similar tax having been put in by Los Angeles approximately one year ago, with water excluded, and it appears to be a fair and equitable way of raising money in an inflated economy, adding that real estate should not be further burdened, if it can possibly be avoided. A Utility Users' Tax would touch people who do not own real property, who live out of town and maintain businesses or some enterprise benefiting from City services without payment of any real property tax (i.e. a brokerage firm in an office building) -- such a Users' tax would equalize the situation. But, Mayor Isen continued, the homeowner too will be hit, and it is hoped that something can be done to offset this, which cannot be determined until the budget sessions, and, hopefully, budget cuts can be made. He added that he would hope that the implementation of a users' tax would not be interpreted as a license to spend money in every conceivable manner and forget the poor taxpayer.

Water is different, in the opinion of Mayor Isen; it could very well be exempted at this time, and reconsidered at a later date, if deemed necessary -- this being a tremendous new area in taxation and resultant revenue. The Mayor then expressed the hope that water would be excluded, because of its particular kind of necessity; it is his further hope that there may be a 5¢ cut in real estate taxes which will only compensate a small amount for what a homeowner will have to pay on a utility users' tax. Mayor Isen

does not have the same concern for the "big boys" nor those who merely use Torrance as a good place to make money but reside elsewhere -- his primary thought is for the homeowner watering his lawn, some 40,000 strong.

Questioned by Councilman Wilson was the need for such a large sum of money, and why the urgency in requesting the ordinance at this time? Mayor Isen clarified this need and the determinations that must be made in preparing the budget.

Councilmen Beasley, Johnson, and Sciarrotta agreed with the sentiments of Mayor Isen -- that the proper place for relief is the property tax. Councilman Miller referred to the hue and cry "relief from property tax" over the years -- the water is just an additional taxation, as far as he is concerned; every homeowner uses water, and there is no choice whereas with a telephone, etc. there is an option. It is Councilman Miller's opinion that the proposed tax would be more generalized were it other than water.

A SUBSTITUTE MOTION was offered by Mayor Isen: That the Council approve Ordinance No. 1971. The motion which was seconded by Councilman Sciarrotta, carried as follows:

AYES: COUNCILMEN: Beasley, Miller, Sciarrotta, Wilson,  
and Mayor Isen.

NOES: COUNCILMEN: Johnson, Uerkwitz.

It was the comment of Councilman Johnson that his "no" vote was for the reason that he thinks Ordinance A (1970) should be the one adopted, not because he does not feel there should be a Utility Tax.

At Mayor Isen's request, City Clerk Coil reread the title for Ordinance No. 1971:

ORDINANCE NO. 1971

AN ORDINANCE OF THE CITY COUNCIL OF THE  
CITY OF TORRANCE ADDING CHAPTER 25 TO  
DIVISION 2 OF THE TORRANCE MUNICIPAL CODE  
RELATING TO A TELEPHONE, GAS, ELECTRICITY,  
AND CABLE TELEVISION USERS' TAX.

Mayor Isen moved for the approval of Ordinance No. 1971 at its first reading. His motion was seconded by Councilman Sciarrotta, and carried as follows:

AYES: COUNCILMEN: Beasley, Miller, Sciarrotta, Wilson,  
and Mayor Isen.

NOES: COUNCILMEN: Johnson (for reason stated above);  
Uerkwitz (for the reason that he feels  
that all utilities should be  
taxed equally.)

\* \* \* \*

31. 232nd Street Opening.

RESOLUTION approving plans, specifications and cost estimates for 232nd Street Opening.

RESOLUTION of intention ("A" and "B" versions) to order acquisition of right-of-way and the opening and construction of 232nd Street.

Clarification of the "A" and "B" versions of the Resolution of Intention was furnished by Councilman Johnson - Resolution "B" having been prepared for the reason that the City Attorney's office could not recall precisely that the Council had promised the proponents of 232nd Street Opening that there would be an interest-free loan in this instance.

Councilman Johnson then read aloud from the minutes of the Council meeting of February 26, 1969 which confirmed approval of an interest-free loan. On that basis, Mr. Johnson continued, it would seem that Resolution "A" is the one promised the people.

It was the suggestion of Deputy Attorney Smith that the Council first act on the Resolution relative to the plans, specifications and cost estimates. Mayor Isen requested that City Clerk Coil assign a number and read title to this Resolution:

RESOLUTION NO. 69-74

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING AND ORDERING THE FILING OF PLANS, SPECIFICATIONS AND COST ESTIMATES FOR THE ACQUISITION OF RIGHT-OF-WAY, OPENING AND CONSTRUCTION OF 232ND STREET BETWEEN PENNSYLVANIA AVENUE AND ARLINGTON AVENUE.

(232nd Street Assessment District No. 1)

Councilman Sciarrotta moved for the adoption of Resolution No. 69-74. His motion was seconded by Councilman Johnson, and roll call vote was unanimously favorable.

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

RESOLUTION NO. 69-75

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, DECLARING ITS INTENTION TO ORDER THE ACQUISITION OF RIGHT-OF-WAY, THE OPENING AND CONSTRUCTION OF A PUBLIC STREET IN THE CITY OF TORRANCE, CALIFORNIA; DESCRIBING THE DISTRICT TO BE BENEFITED BY SAID WORK AND TO BE ASSESSED TO PAY THE COST AND EXPENSE THEREOF; DETERMINING THE MANNER OF FINANCING SAID WORK; AND FIXING THE TIME AND PLACE FOR HEARING PROTESTS AND OBJECTIONS TO SAID WORK OR THE EXTENT OF THE DISTRICT TO BE ASSESSED, OR BOTH AND GIVING NOTICE THEREOF.

(232nd Street Assessment District No. 1)

Councilman Johnson moved for the adoption of Resolution No. 69-75. His motion was seconded by Councilman Sciarrotta.

Prior to roll call vote on the motion, Councilman Beasley pointed out the absence of information on the Resolution: on page 1, the "estimated cost of said work"; on page 2, the date and hour for the public hearing. Deputy Attorney Smith recommended that, at this point, the motion be simply to exclude Resolution "B" from consideration, and then move on to the items which will have to be incorporated in Resolution "A". Councilman Johnson so MOVED; the motion was seconded by Councilman Sciarrotta, and there were no objections.

City Manager Ferraro then directed the Council's attention to his note on the Acting City Engineer's letter of April 18th, and requested that it be revised to read: "There is \$50,000 proposed in the 1968-69 capital improvement program adopted in principle only on 1/28/69....." (deleting "There is already \$34,000 in reserve for this project...").

Next discussed were the 4 Proposals presented, and Proposal 1 selected. Councilman Beasley MOVED that Proposal No. 1 be adopted, and his motion was seconded by Councilman Sciarrotta.

Prior to voting on this motion, Mrs. Betty Ponsford inquired of Deputy Attorney Smith as to the meaning of the reference to "Portion of Lot 4, Tract #588, Robinett, \$1,195.00" on Proposal No. 1. Mr. Smith clarified that there had been negotiations entered into with Mr. Killingsworth to have the necessary right-of-way deeded to the City in return for work done to bring his property up to the provisions of the oil code ordinance re: fencing and landscaping, and that it had been heard previously that the Robinetts would dedicate; it is now the understanding that the Robinetts have indicated that they will go along on the same basis as Mr. Killingsworth, that there will be no gratis dedication on their part -- this is the estimate of what the cost would be.

Mrs. Ponsford then stated that they do not want to pay for Mr. Robinett's property; they will exclude that property from Proposal 1, and have a half street. Discussion followed on this comment; the Council being generally in agreement that the better development would be the full street as proposed; Mayor Isen expressed his weariness with trying to accomplish this street opening and if the street is to be better for approximately \$1,000, pettiness should be forgotten.

Mrs. Arnold Johnson, 2277 West 233rd Street, stated that, as Mr. Robinett's neighbor, he is pumping oil and has maintained an untidy operation; Mrs. Johnson also pointed out other half streets permitted in South Torrance, and feels a half street fair in this case.

Further noted by Mrs. Johnson was their concern for the opening of the other end of 232nd Street and her understanding that there is something afoot to set up another assessment district down there. Mrs. Johnson requested assurance that the people who buy

the Raphael and Pivavoroff right-of-way will not be required to pay any more at the other end, and requested such a stipulation. Mayor Isen responded, stating that that is proper, if it is obtained at one place -- certainly the people are going to get justice and equality, and this Council can be trusted, declining to indulge in any written stipulation, there being a record here which provides opportunity to protest and so remind the Council should it forget. Mayor Isen again referred to the monumental demands made in this matter, the effort now to afford relief with only further problems presented.

Roll call vote on Councilman Beasley's motion that Proposal No. 1 be adopted was unanimously favorable.

It was the comment of Mayor Isen that he will vote "yes" all the way along on this matter, but asked that the record show very clearly that he is against any particular types of improvement districts where there is a use of general tax money and no interest being paid for it; a mistake made in another case does not justify this.

Councilman Beasley moved that the reference to "Portion of Lot 4, Tract #588 (Robinett) in the amount of \$1195.00" be removed from the proposed cost of Proposal No. 1. The motion died for lack of a second.

Deputy Attorney Smith advised the Council that it is now proper that they select the date for the public hearing. It was agreed that this be held on June 3, 1969 at 5:30 P.M.; the estimated cost being \$51,195.00 with the adoption of Proposal No. 1, and so incorporated in Resolution No. 69-75 previously read by City Clerk Coil.

Councilman Johnson restated his MOTION for the adoption of Resolution No. 69-75, which was reseconded by Councilman Sciarrotta.

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

Mayor Isen reiterated his opposition to interest-free improvement districts.

Councilman Johnson reported on his understanding of a problem with the negotiations on the Raphael property, and requested that Staff expedite this matter.

Also requested by Councilman Johnson was an analysis by Staff on the use of a 1911 Act Involuntary Assessment District to open the improvements for the balance of the Southeast Torrance Oil Fields. Planning Director Shartle advised that a communication will be forthcoming from the Planning Commission recommending such action. Councilman Johnson MOVED that the requested analysis be directed to the Planning Commission for their study and report to Council. The motion was seconded by Councilman Sciarrotta, and there were no objections.

SEWERS AND DRAINAGE:32. ACQUISITION OF EASEMENT FOR INSTALLATION OF SANITARY SEWER IN FUTURE 234TH STREET.

Recommendation of Acting City Engineer: That the City Council direct the City Attorney to institute condemnation proceedings for the acquisition of necessary easement.

MOTION: Councilman Beasley moved to concur with the above recommendation of the Acting City Engineer. His motion was seconded by Councilman Sciarrotta, and roll call vote was unanimously favorable.

BUILDINGS, STRUCTURES, AND SIGNS:

## 33. Request for relief from compliance with Emergency Ordinance #1937 (Establishment of new standards for multiple residential construction) -- Alter Building Company (Cecil Alter).

Recommendation of Building and Safety Director: That the requested time extension be granted to Mr. Alter until June 30, 1969 in which to take out his building permit in accordance with policy established by the City Council in similar cases.

MOTION: Councilman Uerkwitz moved to concur with the above recommendation of the Building and Safety Director. His motion was seconded by Councilman Sciarrotta, and there were no objections.

PERSONNEL MATTERS:

## 34. Classification study and recommendation for reclassification of Intermediate Typist Clerk position in City Clerk's office to Senior Typist Clerk.

Recommendation of Personnel Director: That this position be reallocated to the existing class of Senior Typist Clerk to be billed in accordance with Civil Service rules and regulations.

MOTION: Councilman Beasley moved to concur with the above recommendation of the Personnel Director. His motion was seconded by Councilman Miller, and there were no objections.

35. RESOLUTION amending Salary Resolution and Class Specification for Data Processing Manager.

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

RESOLUTION NO. 69-76

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING RESOLUTION NO. 68-136, AS AMENDED BY RESOLUTION NO. 68-146, TO ADD NEW CLASSES TO THE CLASSIFICATION PLAN.

Councilman Wilson moved for the adoption of Resolution No. 69-76. His motion, seconded by Councilman Sciarrotta, was unanimously approved by roll call vote.

LIBRARY OPERATIONS:

40. Library Commission's recommendation that the City obtain services of appraiser to determine value of property being considered for Southeast Torrance Branch Library.

Councilman Johnson moved to concur with the above recommendation of the Library Commission. His motion was seconded by Councilman Sciarrotta, and roll call vote was unanimously favorable.

41. Request for excused absence from Library Commissioner George Kurtz.

Councilman Sciarrotta moved to concur with the above request. His motion was seconded by Councilman Johnson, and there were no objections.

ITEMS NOT OTHERWISE CLASSIFIED:

44. WEED ABATEMENT PROGRAM - 1969.  
RESOLUTION OF INTENTION to abate weeds on certain properties in the City and setting time, date and place of hearing thereon as May 6, 1969 at 5:30 P.M. in the Council Chambers.

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

RESOLUTION NO. 69-77

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

Councilman Miller moved for the adoption of Resolution No. 69-77. His motion, seconded by Councilman Uerkwitz, and roll call vote was unanimously favorable.

52. RESOLUTION opposing legislation reducing municipal revenue.

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

RESOLUTION NO. 69-78

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE IN OPPOSITION TO LEGISLATION REDUCING MUNICIPAL REVENUE SOURCES BY ELIMINATING CITY CARRIER TAX SUBMITTED TO THE STATE LEGISLATURE AS SENATE BILL NO. 648.

Councilman Sciarrotta moved for the adoption of Resolution No. 69-78. His motion was seconded by Mayor Isen, and roll call vote was unanimously favorable.

ORAL COMMUNICATIONS:

53. City Manager Ferraro noted that several Staff members will be in Sacramento on April 23rd on the occasion of the Chamber's "Torrance Day" there.

54. Presentation of his 20-year service pin was made at this time to Bus Superintendent Chamberlain by City Manager Ferraro, with appropriate congratulations.

55. Permission for appropriate expenses, not to exceed \$100, was requested by City Attorney Remelmeyer for the preparation of an amicus curiae brief on the requirement of cities to pay Civil Service employees union scale on public works improvement projects other than routine maintenance. Councilman Uerkwitz MOVED to concur with the request of the City Attorney; his motion was seconded by Councilman Johnson, and roll call vote was unanimously favorable.

56. City Librarian West referred to Information Item H - the designation by Congressman Glenn Anderson of the Torrance Library as a Federal Depository Library - and requested formal approval by the Council.

MOTION: Mayor Isen moved that the Council concurs and accepts Congressman Anderson's offer and thanks him for his attention in designating Torrance the official depository for government documents within the 17th Congressional District. The motion was seconded by Councilman Johnson, and approval was unanimous.

At this time Councilman Uerkwitz presented City Librarian West with two extremely valuable documents for housing in the Torrance Library -- one, dated 1912, between Dominguez Land Company and Pacific Telephone; the other being a home grant of easement in this regard.

57. The resignation of Mr. George Morehart, after 12 years of service on the Civil Service Commission, was pointed out by Councilman Beasley; he MOVED that an appropriate resolution be prepared and permaplaqued for Mr. Morehart. The motion was seconded by Mayor Isen, and roll call vote was unanimously favorable.

(Councilman Beasley asked to be excused at this time, the hour being 10:35 P.M., Mayor Isen took this opportunity, on behalf of the Council, to applaud Councilman Beasley for his outstanding efforts in working under trying health conditions.)

58. Councilman Johnson referred to the recommendation of Park and Recreation Commissioner Craig that there be money placed in the budget (\$50,000 to \$75,000) to be used when there is opportunity to purchase small park sites. Councilman Johnson requested that the City Manager include such a sum in the budget, for review at budget time.

59. Councilman Johnson further requested that there be the sum of \$50,000 to \$75,000 put in the budget for use in street openings -- such as the one on 232nd Street -- for review at budget sessions. Discussion followed, and Councilman Johnson agreed that he was in essence saying "bigger General Fund" but feels that these are two items which can come up next year as a type of emergency situation.

60. Questioned by Councilman Miller was the possibility of entering into a contract with parties who do not wish to dedicate land whereby the land would not be conveyed to the City but would permit a street being put on the property, with the cooperation of a owner who does not wish to relinquish his land but is willing to allow the public use. City Manager Ferraro asked that he be permitted to review such a procedure with the Legal Department.

61. A communication from National Supply regarding their "Founder's Day" was discussed by Councilman Miller, and their request that the City determine a constructive project -- in the opinion of Councilman Miller the improvement of the new Pueblo Park would be an ideal project for the National Supply people; it would certainly take care of one of the major undeveloped areas in the City and help would be most welcome.

62. Councilman Sciarrotta requested that there be a Personnel Session, composed of Councilmen and the Mayor only, on Tuesday, April 29, 1969, at 4:00 P.M. This met with the approval of the Council.

63. The death of the distinguished Guatemalan citizen, Mr. Arenales, was regretfully announced by Councilman Sciarrotta who requested that an appropriate resolution be prepared and sent to the proper authorities.

64. Councilman Uerkwitz reported on the concern regarding the lack of progress on Del Amo Boulevard and the improvement of the area, and requested that a progress report be furnished next week.

65. Tickets for the "Bach to Rock" concert on April 25, 1969, are at a premium, according to Councilman Uerkwitz, but he will try to accomodate those who may be ticketless.

66. Councilman Wilson expressed his sincere agreement with the earlier remarks in reference to the plight of the Pueblo area -- attention should be directed as well to the City property and the weeds, trash, etc. -- but more than that an interest has been expressed by the Pueblo Community Club that a type of fiesta activity be tied in with the street dedication which would involve the entire community of Torrance.

67. The use of Ocean Avenue as a truck route was pointed out to Traffic Engineer Horkay by Mayor Isen. Mr. Horkay described the practice of taking the shortest routes in making deliveries; further, an information item is en route to the Council in reference to truck routes.

68. Mayor Isen pointed out to Airport Manager Egan the large number of jets flying, low and noisy, in the area near his home, and requested that a factual report be furnished on this situation.

69. A most successful trip to Sacramento was reported by Mayor Isen, with much agreement apparent with the legislators.

Requested by Mayor Isen was that the City Attorney investigate Bill 711 which would change ABAG, which is a counterpart of SCAG, into true regional government with a taxing authority, the super-structure, etc. -- which he finds disgusting.

70. Next referred to by Mayor Isen was a communication from Mr. Peter Schabarum, member of the Assembly, 49th District, stating that he intends to introduce legislation creating a regional transportation agency for the five counties in the Los Angeles Basin, which will be a successor agency to the Southern California Transit District, the Southern California Rapid Transit District, RTD, and stating that the proposed agency would be directed to prepare to assume management of all municipal airports by July 1, 1972. Further pointed out by Mayor Isen were the comments pertaining to management and responsibilities. Mayor Isen requested that City Attorney Remelmeyer check into this and prepare an appropriate resolution, if deemed necessary.

71. Further reported by Mayor Isen was his conversation with State Treasurer Flournoy who advised that he is advocating a general real estate tax on every piece of property in California for school purposes -- should such a bill go through, as far as Torrance is concerned, the money will be reallocated to the various school districts, many of whom are less affluent, and which will result in it being necessary to raise Torrance's school tax.

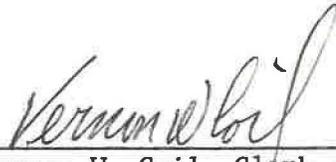
It was then suggested by Mayor Isen that a joint meeting with this Council and the School Board would be of great merit, and recommended that such a meeting be scheduled for Thursday, May 1, 1969, at 5:30 P.M., and featuring a specialized agenda on pertinent City/School matters, to be followed by a goodwill dinner. This met with the approval of the Council.

Councilman Wilson commented on the Mayor's remarks above pertaining to a school tax, pointing out that previously the State contributed 50% to the schools, with only about 40% of the money now coming from the State and 60% from the local agencies. Another factor that must be reckoned with, Dr. Wilson continued, is that public education is not just a local responsibility; it is a State responsibility, with bankruptcy faced by some seven or eight Districts unless help is forthcoming.

72. The President of Friends of the Library, Mr. John Crain, 3753 West 171st Street, extended an invitation to the Council to attend their second annual Used Book Sale at the Torrance Recreation Center, starting April 24th. Mr. Crain also expressed their appreciation to the Library Staff for their assistance in coordinating this event.

At 11:10 P.M. Councilman Sciarrotta moved to adjourn to Monday, April 28, 1969, at 4:30 P.M. His motion was seconded by Councilman Uerkwitz, and there were no objections.

\* \* \* \*



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

APPROVED:



Mayor of the City of Torrance