

## I N D E X

City Council - September 15, 1970

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Ava Cripe  
Minute Secretary

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Adjourned at 7:50 P.M. to Tuesday, September 22nd, 1970,  
at 6:00 P.M.

\* \* \* \*

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MINUTES OF A REGULAR MEETING  
OF THE TORRANCE CITY COUNCIL

OPENING CEREMONIES:

1. CALL TO ORDER:

The Torrance City Council convened in a regular meeting on Tuesday, September 15, 1970, at 5:30 P.M. in the Council Chambers at Torrance City Hall.

2. ROLL CALL:

Responding to roll call by City Clerk Coil were: Councilmen Brewster, Johnson, Sciarrotta, Surber, Uerkwitz, Wilson, and Mayor Miller. Absent: None.

Also present: City Manager Ferraro, Assistant City Manager Scharfman, City Attorney Remelmeyer, City Clerk Coil, and City Treasurer Rupert.

3. FLAG SALUTE:

At the request of Mayor Miller, Miss Armida Grajeda led in the salute to the flag.

4. INVOCATION:

Reverend J. Augustine O'Gorman, St. James Catholic Church, provided the invocation for the meeting.

STANDARD MOTIONS:

5. APPROVAL OF MINUTES:

Councilman Sciarrotta moved that the minutes of the regular meetings of August 25, 1970 and September 1, 1970 be approved as written. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

6. APPROVAL OF DEMANDS:

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

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

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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.

8. COUNCIL COMMITTEE MEETINGS:

(Considered at this time, and assigned an agenda number:)

32. MORATORIUM ON MAKEUP PAVING POLICY.

RECOMMENDATION OF COUNCIL PUBLIC WORKS COMMITTEE:

That the Council place a moratorium on its policy of giving free street improvements in return for free dedication of rights-of-way. This moratorium should be effective immediately and continue until the Committee's study of the makeup paving policy is completed and returned to Council with recommendations. The moratorium should apply to all future right-of-way dedications and not be retroactive.

Councilman Brewster, as Chairman of the Public Works Committee, reported their feeling that they are dealing with an intricate, complicated problem, and there is a need for further time -- in the interim, however, is the problem of existing policy maintained over the years where the City receives dedications with the City providing the makeup paving -- the advisability of continuing this is now questioned, according to Councilman Brewster. Hence, as an emergency action, the subject moratorium has been requested until a good decision can be made by the Committee.

Discussion followed on the makeup paving policy itself -- Councilman Johnson was of the opinion that the policy which has existed for many years has been a satisfactory one, and since a decision appears near at hand, he would question the establishment of a moratorium.

It was added by Councilman Johnson that there might be a rush of people who would want to get in before the policy is changed, which might have a very good effect on cleaning up certain areas that might not otherwise get cleaned up. Councilman Wilson stated that such a rush is what it is desired to avoid, and is why the immediate action on the moratorium is requested; there are budget problems to be faced, and to continue the present policy represents a prohibitive figure. Councilman Uerkwitz concurred in these remarks, and reiterated the need for further study.

Councilman Sciarrotta was of the opinion that a one week delay would be desirable, in that it could be made a regular agenda item, and reviewed under those circumstances. Councilman Brewster responded that he, as Chairman, would normally have done it in this manner, but in view of perhaps daily situations involving dedications, with each one a commitment by the City to x number of dollars under the present policy, it was deemed an emergency measure which should be instituted as fast as possible.

In agreement with a one week delay, Mayor Miller reiterated his distaste for approval or disapproval without all the background information.

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City Attorney Remelmeyer stated that such a delay might result in a rash of dedications which would give these property owners a free street that they otherwise might not get. Mayor Miller then commented that the dedications under these circumstances would be welcome in that the makeup paving is incidental to the cost of condemnation. Mr. Remelmeyer responded that this is a false premise because the City does not have to use General Fund money to buy the land -- in other words, the property owners in the area could be made to pay for both the acquisition of the properties necessary therefor and the cost of constructing the street. In other words, according to Mr. Remelmeyer, the Council would be prejudging the situation were the moratorium not established since it will be obvious within the week to affected property owners that they will be making money by dedicating now, since they might not get a free street and might have to pay for the acquisition of the land necessary for the widening and the building of a street as well as for the street itself.

It was added by City Attorney Remelmeyer that a moratorium would preserve the status quo in effect for one week -- no one could dedicate to the City, and get this advantage.

MOTION: Councilman Brewster moved to concur with the recommendation of the Council Public Works Committee. His motion was seconded by Councilman Uerkwitz, and carried, with roll call vote as follows:

AYES: COUNCILMEN: Brewster, Sciarrotta, Surber, Uerkwitz,  
Wilson, and Mayor Miller.  
NOES: COUNCILMEN: Johnson.

Discussion returned to the moratorium, and it was noted that the motion was not merely for a one week period of time, but, rather, for the time needed to complete the study. It was then agreed to compromise thusly: make the moratorium for a period of one week, with the backup material to be furnished the Council for their action at the September 22nd meeting. Such an amendment to the motion was acceptable to Councilman Brewster, as well as Councilman Uerkwitz who had seconded the motion. Councilman Johnson thereupon changed his vote to YES, which resulted in unanimous approval.

COUNCIL COMMITTEE MEETINGS:

Police and Fire Committee: Councilman Uerkwitz advised that this committee has reached a conclusion relative to "time off for employee activities" -- a written report on these conclusions will be ready for the Council meeting of September 22nd.

Civil Service Committee: It was reported by Councilman Johnson that this committee will meet at 4:00 P.M. on Thursday, September 17th, to discuss the proposed reorganization of the Personnel Department -- a report to Council will follow.

PRESENTATION:

9. Introduction of Police Academy Graduates.  
Presentation of check, salary reimbursements from Peace Officers Standards and Training Commission.

Chief Nash introduced Officers Roland Talton, Lee McCoy, and Edmond Walsh, and announced that they have just completed twenty weeks of intensive training at the Police Academy -- they were warmly congratulated by the Council, following brief speeches on their motivation to become Torrance Police Officers.

There was the further presentation by Chief Nash of a check in the amount of \$19,929.35 representing salary reimbursements from Peace Officers Standards and Training Commission.

PROCLAMATIONS:

10. A. "HIRE THE FORTY-PLUS WORKER WEEK" -  
September 14, 1970 - September 18, 1970.

So proclaimed by Mayor Miller.

- B. "CONSTITUTION WEEK" -  
September 17, 1970 - September 23, 1970.

So proclaimed by Mayor Miller.

HEARINGS - PLANNING AND ZONING:

11. VARIANCE 70-12, EDWARD AND KATHLEEN DAVIS.  
Request for a variance to allow an existing room addition and conversion of a double garage into a single garage to remain on property at 21318 Ladeene Avenue.  
PLANNING COMMISSION RECOMMENDS DENIAL.

Mayor Miller ordered this item held until after 6:30 P.M. in view of the advertising of the public hearing to that effect.

PLANNING AND ZONING MATTERS:

12. Draft of Amended Ordinance to disallow residential uses in the C-1 and C-2 zones by Conditional Use Permit.

The intent of the Planning Commission was clarified by Planning Director Shartle in that if a commercial area is to be developed with apartments, then there should be consideration of changing the zoning to allow the apartments, rather than leaving it in a commercial zone which later presents problems.

In the opinion of Councilman Johnson there are presently sufficient controls with the Conditional Use Permit procedure, and the C-1 and C-2 zoning provides needed flexibility for those desiring commercial development -- if it were said that there could not be apartments in these zones at all, then it would be necessary to change the zoning.

Councilman Brewster stated that it seems to him that the Planning Commission is attempting to clean up the zone so that any area labelled "C" is purely and simply a commercial zone, and "R" residential -- to assist those buying properties who check the zoning maps. It was then pointed out by Councilman Brewster that the matter before the Council is not to argue the merits, but whether or not this should be put to public hearing.

It was the comment of City Attorney Remelmeyer that there is something of a problem with the ordinances as they are -- assuming a proponent applies for a Conditional Use Permit in a C-1 or C-2 zone for an apartment house, and it is refused; there is a problem because the theory of the Conditional Use Permit is that you will grant it with conditions -- that is, when it is indicated that a particular use will be permitted in a zone, based on the Conditional Use Permit, the basic zoning theory is that the Council has already taken a step quite a way down the road by indicating that it will be done, unless there is some very good reason for not doing so.

Mr. Remelmeyer further stated that the above would not be true with a change of zone procedure, and the reverse is true in a variance -- but the provision for a conditional use in a particular zone to some degree precommits the Council to granting the request but on conditions.

Discussion ensued on the proposed amendment to the Code and its possible effect in the City -- with Planning Director Shartle noting that most of the undeveloped property in the City is in the C-2 zone. Mr. Shartle added that he would have to concur with City Attorney Remelmeyer -- the way the ordinance is set up certain uses in certain zones are allowed by Conditional Use Permit, and there is an absence of complete flexibility; if a use in a zone is permitted by Conditional Use Permit, it is presumed that it will be allowed to go in there unless it can be found that there are good reasons why it should not go in. The opposite is true with a variance -- substantial reasons must be found in this case; a zone change is sort of in between.

It was the comment of Councilman Wilson that there is justification for the recommended public hearing -- at the same time there are probably a number of property owners who had this in mind when they purchased the property, that apartments could be put on the land, and he would favor the hearing.

Due to the fact that a decision at this time is not desired, only that a public hearing be held, Councilman Sciarrotta MOVED that the Planning Commission hold a public hearing on the subject amendment to the Code, and then make a recommendation to the City Council. The motion was seconded by Councilman Brewster, but failed to carry, with roll call vote as follows:

AYES: COUNCILMEN: Brewster, Sciarrotta, Wilson.  
NOES: COUNCILMEN: Johnson, Surber, Uerkwitz, Mayor Miller.

It was the comment of Councilman Johnson, at the time of his "no" vote, that he is of the opinion that the City has the tools to work with -- this would invite unnecessary trouble, for no reason. Mr. Johnson added that he certainly does not object to public hearings, but this seems to him to be just a lot of wheel spinning.

MOTION: Councilman Uerkwitz moved to DENY the recommendation of the Planning Commission. His motion was seconded by Councilman Johnson, and carried, with roll call vote as follows:

- AYES: COUNCILMEN: Johnson, Sciarrotta, Surber, Uerkwitz, and Mayor Miller.
- NOES: COUNCILMEN: Brewster, Wilson.

\* \* \* \*

The hour being 6:25 P.M. Councilman Sciarrotta moved to recess as the City Council and reconvene as the Redevelopment Agency. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable. A general 10-minute recess followed at 6:27 P.M.

\* \* \* \*

The Council returned to:

HEARINGS - PLANNING AND ZONING:

11. VARIANCE 70-12, EDWARD AND KATHLEEN DAVIS.

Request for a variance to allow an existing room addition and conversion of a double garage into a single garage to remain on property at 21318 Ladeene Avenue.  
PLANNING COMMISSION RECOMMENDS DENIAL.

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

Mayor Miller announced that this is the time and place for the public hearing on Variance 70-12, and inquired if anyone wished to speak.

The proponent, Mr. Edward Davis, was present to state that he had moved into the subject property some seven years ago -- they now desire to sell the property only to learn that the structure is not up to Code.

City Attorney Remelmeyer advised the Council that they cannot legally grant a waiver of a zoning ordinance provision because the structure was illegally built -- further, this is not a non-conforming use; it cannot be a non-conforming use within the meaning of the Code because a non-conforming use relates to a legal action or use of property which later is made illegal due to action of the Council. In this case, there is no legal basis for granting a variance.

Continuing, Mr. Remelmeyer suggested that there is a possibility whereby the Council might give relief -- the Council

could pass a "validation ordinance" which would mean that instead of singling this person out and granting him a variance, it would recognize that for some reason he is different than everybody else. The proposed "validation ordinance" would serve to validate this type of illegality where the structures are pre-existing and were constructed in violation of the Code -- this would serve to validate a class of illegality. This might be termed a "left-handed variance", and, according to Mr. Remelmeyer, the legislature does this, for instance, in annexation proceedings, bond procedures, etc.

It was the suggestion of Councilman Uerkwitz that the Council pass a motion to concur with the Planning Commission's recommendation to allow this to remain as a non-conforming use. The City Attorney advised that it cannot be a non-conforming use within the meaning of the ordinance, and there would need to be further legal research as to such a motion -- there well could be future problems such as mortgage financing.

Discussion followed as to the possible remedies for this particular problem. It was the feeling of Councilman Surber that some relief should be afforded the proponent at this time -- all parties are innocent victims of circumstance, and that should be taken into consideration.

Concurrence was expressed by Councilman Johnson in that a "validation ordinance" could be passed which would assist the Council in future situations -- but for now he would like to later offer a motion that would ostensibly approve the property as to its layout, with approval being subject to building inspection, having it brought up to Code in terms of the construction, the electrical, the plumbing, and those kinds of things. This would furnish the necessary relief as to the needs of the lender.

Councilman Wilson was not in favor of the proposed "validation ordinance" -- the Council should not pass an ordinance which legalizes illegal acts. Cases of this nature should be handled individually, in Dr. Wilson's opinion, but there should not be a blanket ordinance to cover all illegal building in the City; it would not be wise.

City Attorney Remelmeyer then suggested that he - with Building and Safety Director McKinnon and Planning Director Shartle - compose an ordinance setting up a procedure for cases of this nature; the variance is not the correct way to go.

Mayor Miller inquired if anyone else wished to be heard.

Responding was Mr. Andrew Robb, 21318 Ladeene, <sup>who</sup> informed the Council that he is the buyer of the subject property -- the buyer in limbo at the present time.

There being no one else who wished to be heard, Councilman Sciarrotta moved that the hearing be closed. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

The following action was taken at this time:

MOTION: Councilman Uerkwitz moved to DENY Variance 70-12. His motion was seconded by Mayor Miller, and roll call vote was unanimously favorable.

MOTION: Councilman Johnson moved to approve the subject property as to layout, subject to the owner complying with the applicable building codes as inspected by the Building Department. The motion was seconded by Councilman Surber.

Prior to roll call vote on Councilman Johnson's motion, City Manager Ferraro indicated that there will be enforcement problems -- the Building Department cannot issue a permit under these circumstances.

Building and Safety Director McKinnon advised the Council that the necessary certification required by the buyer of the property; the only way that certification can be obtained is by way of a building permit, and bring<sup>ing</sup> the property into conformance -- the Building Department cannot issue any certificate to anyone if it is known that there is a violation. As a matter of fact, Mr. McKinnon continued, it will be necessary to cite the property owner tomorrow in that he is in violation. It would seem to Mr. McKinnon that the Council has been handed an impossible to solve situation -- further questioned was why this matter was ever before the Planning Commission in that it is a violation already?

Discussion returned to the complicated aspects of this situation -- Mr. McKinnon further noted that there is no such thing as a non-conforming building violation; there may be a non-conforming use of land -- and reiterated that the situation cannot be solved apparently because of the application for a variance.

There was an attempt at clarification regarding non-conforming uses, and the Planning Staff recommendation regarding same. Planning Director Shartle indicated that he would stand by such a recommendation; it is his opinion that the building can be allowed to stand and not be required to be torn down.

The solution, according to Mr. Remelmeyer, would seem to be that he prepare a procedural ordinance which will set up some way of hearing this type of case and which will permit the Council or the Planning Commission to make determinations as to whether or not the use is satisfactory -- in other words, it will validate that particular illegal use of property, to be recognized on an individual basis.

A SUBSTITUTE MOTION was then offered by Councilman Uerkwitz: That the Council refer V 70-12 to the City Attorney for appropriate action to grant relief via ordinance, to be returned in two weeks. The motion was seconded by Councilman Surber.

It was clarified that such requests should stay with the Planning Commission, with appeal to the Council.

Roll call vote was unanimously favorable.

13. VARIANCE 68-3, HIGGINS BRICK AND TILE COMPANY.

Request for a time extension of variance to permit the storage of scaffolding supplies and materials at 2200 Artesia Blvd. PLANNING COMMISSION RECOMMENDS APPROVAL SUBJECT TO CERTAIN CONDITIONS.

MOTION: Councilman Uerkwitz moved to concur with the recommendation of the Planning Commission. His motion was seconded by Mayor Miller, and roll call vote was unanimously favorable.

STREETS AND SIDEWALKS:14. WEST COAST BASIN BARRIER PROJECT UNIT 5B

(Observation Wells to Combat Salt Water Intrusion)

RESOLUTION granting the Los Angeles County Flood Control District permission to construct, operate and maintain subject project within the public streets of the City of Torrance.

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

RESOLUTION NO. 70-199

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE APPROVING THE WEST COAST BASIN BARRIER PROJECT UNIT 5B (OBSERVATION WELLS) AND GRANTING PERMISSION TO THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT TO CONSTRUCT, OPERATE, AND MAINTAIN SAID PROJECT WITHIN THE PUBLIC STREETS OF THE CITY OF TORRANCE.

Councilman Wilson moved for the adoption of Resolution No. 70-199. His motion was seconded by Councilman Sciarrotta, and roll call vote was unanimously favorable.

BUILDINGS, STRUCTURES AND SIGNS:15. EMERGENCY ORDINANCE relating to Billboards.

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

ORDINANCE NO. 2144

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE REPEALING SECTION 88.7.12 AND ADDING ARTICLE 10 TO DIVISION 8, CHAPTER 8 OF THE TORRANCE MUNICIPAL CODE RELATING TO BILLBOARDS AND DECLARING THE PRESENCE OF AN EMERGENCY.

Councilman Wilson moved for the adoption of Emergency Ordinance No. 2144 at its first and only reading. His motion was seconded by Councilman Brewster, and roll call vote was unanimously favorable.

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REGULAR ORDINANCE relating to Billboards.

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

ORDINANCE NO. 2145

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE REPEALING SECTION 88.7.12 AND ADDING ARTICLE 10 TO DIVISION 8, CHAPTER 8 OF THE TORRANCE MUNICIPAL CODE RELATING TO BILLBOARDS AND REPEALING EMERGENCY ORDINANCE NO. 2144 RELATING TO THE SAME MATTER.

Councilman Sciarrotta moved for the approval of Ordinance No. 2145 at its first reading. His motion, seconded by Councilman Johnson, was unanimously approved by roll call vote.

ITEMS NOT OTHERWISE CLASSIFIED:

16. Invitation from James S. Mize, Executive Officer, Board of Supervisors, to attend a meeting to discuss tax reform on September 16th.

City Manager Ferraro advised that the subject meeting has been cancelled. Mayor Miller ordered the communication filed.

PERSONNEL MATTERS:

17. WAIVING OF RESIDENCY REQUIREMENT - OPEN EXAMINATIONS.

RECOMMENDATION OF CIVIL SERVICE COMMITTEE:

That the City Council direct the City Attorney to prepare a revision to the Torrance Municipal Code and to the Civil Service rules and regulations making it a requirement to have the waiver of the residence requirement on open examinations concurred in and approved by the City Council before bulletining for the examination.

It was additionally pointed out by Councilman Johnson that there is presently on the Governor's desk S.B. 1114 awaiting his signature -- S.B. 1114 ostensibly would take the power away from the City relative to the residency requirement. Mr. Johnson urged that the City Manager be directed to send a wire to the Governor, on behalf of the Council, requesting that he veto S.B. 1114.

Returning to the above Council Committee recommendation, Personal Director Donovan advised the Council that the Civil Service Commission has recommended that the power to waive residence or to require it should remain with the Commission.

MOTION: Councilman Johnson moved to concur with the above recommendation of the Council Civil Service Committee. His motion was seconded by Councilman Uerkwitz, and roll call vote was unanimously favorable.

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Councilman Johnson then MOVED that Council authorize the City Manager to send a wire to the Governor asking him to veto S.B. 1114. The motion was seconded by Mayor Miller, and roll call vote was unanimously favorable.

18. LEAVE OF ABSENCE ORDINANCE.

RECOMMENDATION OF COUNCIL CIVIL SERVICE COMMITTEE:

The ordinance has been considered by the Civil Service Commission and is therefore now recommended by the Civil Service Committee for adoption by the City Council.

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

ORDINANCE NO. 2043

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE ADDING ARTICLE 40 TO CHAPTER 4, DIVISION 1 OF THE TORRANCE MUNICIPAL CODE RELATING TO LEAVE OF ABSENCE, AND REPEALING SECTIONS 4,5,6,9, 10,11 AND 12 OF RULE XIII OF THE CIVIL SERVICE RULES AND REGULATIONS, AND SUBSECTION (h) AND (i) OF SECTION 14.1.4 OF THE TORRANCE MUNICIPAL CODE RELATING TO THE SAME SUBJECT.

Councilman Brewster moved for the approval of Ordinance No. 2043 at its first reading. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

SECOND READING ORDINANCES:

19. ORDINANCE NO. 2131.

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

ORDINANCE NO. 2131

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE REPEALING CHAPTER 3, DIVISION 7; SECTION 81.1.1; AND ARTICLE 2, CHAPTER 1, DIVISION 8 OF THE TORRANCE MUNICIPAL CODE AND ADDING A NEW SECTION 81.1.1 AND ARTICLE 2 TO CHAPTER 1, DIVISION 8, WHICH ADOPT AND AMEND THE "UNIFORM BUILDING CODE AND APPENDIX, 1970 EDITION, VOLUME 1."

Councilman Wilson moved for the adoption of Ordinance No. 2131 at its second and final reading. His motion was seconded by Councilman Johnson, and roll call vote was unanimously favorable.

20. ORDINANCE NO. 2139.

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

ORDINANCE NO. 2139

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 REDONDO BEACH BOULEVARD, 200 FEET WEST OF YUKON AVENUE, AND DESCRIBED IN ZONE CHANGE 70-8.

(Torrance Planning Commission)

Councilman Sciarrotta moved for the adoption of Ordinance No. 2139 at its second and final reading. His motion was seconded by Councilman Uerkwitz, and roll call vote was unanimously favorable.

21. ORDINANCE NO. 2140.

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

ORDINANCE NO. 2140

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 REDONDO BEACH BOULEVARD, WEST OF THORNBURGH AVENUE, AND DESCRIBED IN ZONE CHANGE 70-9.

(Initiated by Torrance Planning Commission).

Councilman Uerkwitz moved for the adoption of Ordinance No. 2140 at its second and final reading. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

22. ORDINANCE NO. 2141.

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

ORDINANCE NO. 2141

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 REDONDO BEACH BOULEVARD AND THE WEST SIDE OF THE DOMINGUEZ FLOOD CONTROL CHANNEL, AND DESCRIBED IN ZONE CHANGE 70-10.

(Initiated by Torrance Planning Commission).

Councilman Brewster moved for the adoption of Ordinance No. 2141 at its second and final reading. His motion was seconded by Councilman Uerkwitz, and carried, with roll call vote as follows:

AYES: COUNCILMEN: Brewster, Johnson, Surber, Uerkwitz,  
Wilson, and Mayor Miller.  
NOES: COUNCILMEN: Sciarrotta.

23. ORDINANCE NO. 2142.

At the request of Mayor Miller, City Clerk Coil presented for its second and final reading:

ORDINANCE NO. 2142

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  
BETWEEN CHERRY AVENUE AND CRENSHAW  
BOULEVARD, AND DESCRIBED IN ZONE  
CHANGE 70-11.

(Initiated by Torrance Planning Commission).

Councilman Wilson moved for the adoption of Ordinance No. 2142 at its second and final reading. His motion, seconded by Councilman Sciarrotta, was unanimously approved by roll call vote.

24. ORDINANCE NO. 2143.

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

ORDINANCE NO. 2143

AN ORDINANCE OF THE CITY COUNCIL OF THE  
CITY OF TORRANCE REPEALING DIVISION 4,  
CHAPTER 4, OF THE TORRANCE MUNICIPAL CODE  
AND SUBSTITUTING A NEW CHAPTER 4 THEREFOR  
PERTAINING TO RULES OF CONDUCT UPON THE  
BEACH WITHIN THE CITY OF TORRANCE.

Councilman Wilson moved for the adoption of Ordinance No. 2143 at its second and final reading. His motion was seconded by Councilman Brewster, and carried, with roll call vote as follows:

AYES: COUNCILMEN: Brewster, Johnson, Sciarrotta, Surber,  
Wilson, and Mayor Miller.  
NOES: COUNCILMEN: Uerkwitz.

Councilman Uerkwitz reiterated his previously voiced objections -- the ordinance legislates everything off the beach except the people.

NONCONTROVERSIAL ITEMS:25. EXPENDITURES OVER \$300.RECOMMENDATION OF FINANCE DIRECTOR:

That Council approve the following expenditures:

A. BUDGETED.

1. \$763.40 to Park Son, Inc. for 12 service repair clamps as requested by the Water Department as replacements.
2. \$688.60 to Park Son, Inc. for one each water tapping sleeve and valve as requested by the Water Department for connecting the Van Ness improvement lines.
3. \$1,526.59 to Johnson Stationers of Torrance for labor and materials to install 30 Worley Lockers as requested by the Police Department for use by the Reserve units.
4. \$1,245.70 to Johnson Stationers of Torrance for office furniture as follows:
 

2 Desks	Data Processing Dept.
4 Desks	Police Dept.
4 Chairs	Police Dept.
1 File Cabinet	Police Dept.
5. \$995.71 to Motorola Communications and Electronics for two portable Motorola radios as requested by the Police Department as replacements.
6. \$403.01 to Kwik Kut - Division of Saw Acme Engineering Company for one only "Kwik Kut" power saw as requested by the Park Department to complement existing equipment.
7. \$337.13 to Mail Well Envelope Company for 21,000 envelopes as requested by the License Division for use in mailing license fee notices.
8. \$959.24 to IBM for 46,000 various license renewal cards as requested by the License Division for use in collecting business license fees.
9. \$393.61 to Torrance Radiator Service for material and labor to repair and reassemble a City Caterpillar radiator as requested by the City Garage.
10. \$429.78 to Kelly Pipe Company for 32 pieces of various size pipe as requested by the City Garage for stock "as needed".
11. \$512.73 to IBM for one only typewriter as requested by the Police Department as a replacement.
12. \$11,740.09 to Addressograph-Multigraph Corporation for one only multilith offset printing press as requested by the Central Services Division.
13. \$378.75 to Lanier Business Products for one only self-contained loudspeaker as requested by the City Librarian for use in the new Central Library auditorium.

14. \$350.00 to Nichols Sheet Metal for labor and materials for 131 feet of gutter pipe and 3 downspouts as requested by the Building Maintenance Department for installation at the McMaster Park.
15. \$506.40 to Cataphote Corporation for 4,000 pounds of reflective glass beads to be mixed with street marking paint as requested by the Traffic and Lighting Dept.
- 15A. \$4,157.70 to Caligraphics Printing and Publishing Company of San Pedro for a City Newsletter consisting of three issues of 47,000 copies each as requested by the City Manager for distribution to local residents.
- B. REIMBURSABLE.
16. \$2,152.20 to Union Ice for 60 tons of "snow ice" to be delivered as requested by the Recreation Department for their ski program at La Romeria Park. The City is reimbursed for this expenditure through fees collected from class participants.
17. \$613.17 to Brooks Products, Inc. for 16 water meter boxes as requested by the Water Department for use at the New Horizon Shopping Center, the Glendale Federal Savings, and the C.M. Cake Company services. Payment for this expenditure has already been received.
- 17A. \$456.82 to Hersey Sparling Meter Company for one only 6-inch Hersey water meter detector check as requested by the Water Department for installation at the C.N. Cake Company. Payment for this expenditure has already been received.
- C. SPECIAL EXPENDITURES.
18. \$1,772.35 to Campbell & Hall, c/o Harry R. Wilson, for 154 adult books and 60 juvenile books.
19. \$313.70 to Simon & Schuster for 107 assorted books.
26. PUEBLO FIESTA - September 25-27, 1970. Request of CoChairmen that license fees be waived.

RECOMMENDATION OF CITY MANAGER:

That Council concur with the request, subject to the consideration of the License Review Board.

27. Appraisal - Civic Center.

RECOMMENDATION OF ASST. CITY MANAGER/CITY ATTORNEY:

That Council approve an increase in fee for Appraiser Howard Martin to \$2,000, approval to include an appropriation of \$1,000 from the General Fund Unappropriated Reserve.

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28. Secret Service Account.

RECOMMENDATIONS OF ASST. FINANCE DIRECTOR:

1. That Council authorize the overage of \$290 from the Secret Service account for the year ended June 30, 1970, and accept the report of expenditures.
2. That Council authorize and direct the Chief of Police and the City Attorney to prepare the necessary justifications and amendments to the Municipal Code to increase the maximum annual appropriation to the Secret Service Account from \$2,500 to \$3,500 in accordance with the 1970-71 budget.

29. CLAIM of Anthony F. Zwinak, Jr. for property damages.

RECOMMENDATION OF CITY CLERK:

That Council move to rescind motion of denial of September 1, 1970, and move to deny claim as not timely filed.

30. AWARD OF CONTRACT - Storm Drain north of 166th Street from Atkinson Avenue to Crenshaw Boulevard (B70-49).

RECOMMENDATION OF CITY ENGINEER:

That the contract be awarded to Herb Smeltzer Construction Company and all other bids be rejected.

31. APPROPRIATION OF GAS TAX FUNDS FOR CURB AND GUTTER CONSTRUCTION - 235th Street from 214 feet to 495 feet easterly of Crenshaw Boulevard.

RECOMMENDATION OF CITY ENGINEER:

That \$1400 be appropriated from Gas Tax Funds for subject curb and gutter construction.

MOTION: Councilman Sciarrotta moved to concur with the recommendations on agenda items #25,26,27,28,29,30, and #31. His motion was seconded by Councilman Brewster, and roll call vote was unanimously favorable.

ADDENDA ITEMS:

32. MAKEUP PAVING - Heard earlier in the meeting.
33. INSURANCE ON CITY HALL ADDITIONS AND MODIFICATIONS.

RECOMMENDATION OF CITY ATTORNEY:

That Council grant permission to enter into an agreement with the Authority by which the City will provide the excess insurance during construction phase and will assume all insurance requirements on the City Hall improvements after the building is completed until the bonds are retired.

MOTION: Councilman Wilson moved to concur with the above recommendation of the City Attorney. His motion, seconded by Councilman Johnson, was unanimously approved by roll call vote.

ORAL COMMUNICATIONS:

34. Mr. Ruben Ordaz, Cochairman, Pueblo Fiesta, extended an invitation to all to attend this annual Fiesta on September 25, 26, and 27th. The gratifying progress in the Pueblo area was reviewed by the Council.

35. Councilman Brewster referred to Information Item D - the resignation of Mr. Morris Hooper from the Civil Service Commission - and the advisability of reappointment. It was the consensus of the Council that this vacancy be advertised, and that the applications on hand be furnished for study.

Personnel Director Donovan noted that the Civil Service Commission has expressed a desire that an attorney be appointed.

36. It was the request of Councilman Johnson that the status of the 4-way signal at 235th and Walnut be furnished by Traffic Engineer Horkay.

37. Councilman Johnson presented the latest "Project Quest" bulletin, for review by the Council, specifically noting that the subject for their September 14th meeting was titled: "The Ritual of Parent Killing". In the opinion of Councilman Johnson, that kind of titling is certainly designed to excite young people and to put ideas into their head; even if it is not meant literally, it is certainly sufficiently suggestive to invite the curiosity of young people. Councilman Johnson stated that he rejects this kind of thing, and this type of titling should be discouraged.

38. Pointed out by Councilman Sciarrotta was the fact that the Countywide boost in the tax rate this year is actually higher than the total City tax rate established by the City Council -- there is a serious need for explanation to the people that the City did not raise its tax rate, in spite of the higher tax bills that will be received by them. Mr. Sciarrotta stated that it would be a genuine public service to inform the people of these facts by way of the newspapers and local public service bulletins.

39. Councilman Surber added to Councilman Johnson's remarks relative to "Project Quest", in that he has received numerous calls regarding a recent Youth Welfare Commission meeting, and the difficulty encountered in acquiring a quorum, telephone calls being necessary to accomplish this -- a reprimand would be in order, in Mr. Surber's opinion, if there is a reluctance on the part of the Commissioners to perform their jobs, and perhaps there should be some thought regarding new Commissioners.

It was the further request of Councilman Surber that City Attorney Remelmeyer provide an opinion relative to the action of the Youth Welfare Commission, at a public meeting, in not permitting the taping of Mr. Drucker's remarks by those present desiring to do so. City Attorney Remelmeyer stated that he would investigate the matter and report back.

Further questioned by Councilman Surber was the legality itself of "Project Quest" -- it is not incorporated; they are unstructured -- and it seems to Councilman Surber that they are involved in matters which could present problems to the City in terms of liability as a result of these meetings at the Recreation Center or at the homes. Mr. Surber would like also information as to the likelihood of such liability.

40. Mr. Clyde Stellman, 4937 West 118th Place, Hawthorne, reported on successful efforts this date in the cause of safety, following conferences with Planning and Traffic personnel.

At 7:50 P.M. Councilman Sciarrotta moved to adjourn to Tuesday, September 22nd, 1970, at 6:00 P.M. His motion was seconded by Councilman Brewster, and roll call vote was unani- mously favorable.

\* \* \* \*

*Vernon W. Coil*

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

APPROVED BY:

*Ken Miller*

Mayor of the City of Torrance

Ava Cripe  
Minute Secretary

18.

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