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Adjourned at 10:45 P.M.

* * * *

Ava Cripe
Minute Secretary

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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 22, 1970, at 6:00 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, City Attorney Remelmeyer, City Clerk Coil, and City Treasurer Rupert. Absent: Assistant City Manager Scharfman (City Managers' Convention).

3. FLAG SALUTE:

Park and Recreation Commissioner Naomi McVey led in the salute to the flag, at the request of Mayor Miller.

4. INVOCATION:

Father Wolfe, St. James Catholic Church, gave the invocation for the meeting.

STANDARD MOTIONS:

5. APPROVAL OF MINUTES:

Councilman Sciarrotta moved that the minutes of the regular meeting of September 15, 1970 be approved as recorded. His motion, seconded by Councilman Brewster, was unanimously approved by roll call vote.

6. APPROVAL OF DEMANDS:

Councilman Johnson moved that all properly audited demands be paid. His motion was seconded by Councilman Brewster, and 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

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agenda, the further reading thereof be waived, reserving and guaranteeing to each Councilman the right to demand the reading of any such resolution or ordinance in regular order.

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

8. COUNCIL COMMITTEE MEETINGS.

None scheduled.

PRESENTATION:

9. Recommendation of Underground Utility Committee re::
220 KV transmission lines.

RECOMMENDATION OF UNDERGROUND UTILITY COMMITTEE:

That the City Council adopt as its recommendation to the Public Utilities Commission, Hawthorne Boulevard as shown in the exhibits for the double circuit 220 KV route; and secondly, that the Council recommend Western Avenue as shown in the exhibits for the single circuit 220 KV route.

The Committee further recommends that the City Council ask that the following conditions be stipulated to by the Southern California Edison Company as part of the recommendation to the Public Utilities Commission:

- (1) That where overhead utility services are to be undergrounded along these routes, no future overhead service will be installed.
- (2) That the Southern California Edison Company submit a precise plan of development for the review of exterior treatment of the proposed substation at 235th Street and Crenshaw Boulevard prior to the date of construction of the substation.
- (3) That the Southern California Edison Company make a contribution of \$100,000 for Hawthorne Boulevard, \$51,000 for Lomita Boulevard and \$18,900 for 235th Street to the beautification and upgrading of the streets along the routes.

This contribution would only be made upon the adoption of 1911 Act Improvement Districts along the same routes for the purpose of underground serviced ornamental street lighting.

A presentation, including slides and verbal clarification, was made by Assistant to the City Manager Jackson regarding the routes considered for the subject transmission lines, which resulted in the above recommendation by the Underground Utility Committee.

The merits of the proposed routes were reviewed by the Council. Questioned by Councilman Wilson was the likelihood of modifying the blanket franchise across the City of Torrance which permits such installation with or without the City's consent. City Attorney Remelmeyer responded that it would have to be assumed that the court would uphold their franchise. Councilman Wilson then indicated his objections to the Hawthorne Boulevard location, the tearing up thereof for a three year period, and stated that Western Avenue would be preferable, even to delaying the matter for further study, for both circuits. It was the further feeling of Councilman Wilson that undergrounding of the circuits could be accomplished; Mr. Jackson advised the findings of the Public Utilities Commission that it is not financially feasible to do so.

MOTION: Councilman Johnson moved to concur with the recommendations of the Underground Utility Committee (as outlined on Page 2), including the conditions to be stipulated to by the Southern California Edison Company. The motion was seconded by Councilman Surber.

Prior to roll call vote on the motion, Mr. Robert Boyington, Southern California Edison Company 505 Maple Avenue, Torrance, expressed concurrence with the subject stipulations (Page 2).

The motion carried, with roll call vote as follows:

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

Compliments to Staff for a very thorough, commendable job were specifically expressed by Councilmen Johnson and Surber.

It was the comment of Councilman Wilson, at the time of his "no" vote, that it was for the reason he does not feel this is the best solution; it should border the City, and Western would be the best place could it be worked out.

* * * *

The hour being 6:45 P.M. Councilman Sciarrotta MOVED to recess for a Personnel Session requested by the City Attorney. His motion was seconded by Councilman Uerkwitz, and there were no objections.

The Council returned at 7:20 P.M.

* * * *

COMMENDATIONS:

10. RESOLUTION to Assemblyman Carley V. Porter.

Withdrawn.

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PROCLAMATIONS:

11. A. "GREEK FESTIVAL DAYS" - October 3rd and 4th.

So proclaimed by Mayor Miller. Mrs. Helen Dallas was present to accept the Proclamation, and extended an invitation to the Council to attend the Greek Festival at the Torrance Recreation Center.

- B. "WHITE CANE DAYS" - October 2nd and 3rd.

So proclaimed by Mayor Miller. Presentation of the Proclamation to Mr. Charles Statler, Torrance Lions Club, was made by Councilman Johnson, fellow Lions Club member.

Mr. Statler outlined the achievements of the Lions Club in this regard, including the fact that this year the Lions Club will donate approximately \$1800 for the Handicapped Room at the new Torrance Library for Braille typewriters, tape recorders, and the necessary furnishings.

HEARINGS - PLANNING AND ZONING:

12. VARIANCE 70-11, HUNT ENTERPRISES, INC.

Request for a variance from the R-1 zone requirements to allow the construction of a 30-unit apartment on property located on the east side of Cypress Street, approximately midway between Sepulveda Boulevard and 229th Street.

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

Mayor Miller announced that he resides virtually across the street from the subject property; he will therefore ABSTAIN. The Mayor then turned the chair over to Mayor Pro Tem Johnson and departed from the Council Chambers.

Mayor Pro Tem Johnson announced that this is the time and place for the public hearing on Variance 70-11, Hunt Enterprises, and inquired if anyone wished to be heard.

Representing the proponent, Mr. Raymond Sulser, 3847 West 134th Place, Hawthorne, stated that this is his seventeenth appearance before the City Council and/or the Planning Commission in reference to the subject property, starting on July 16, 1969.

This matter originated on November 25, 1968, Mr. Sulser continued, when the ordinance was changed -- Mr. Hunt had a set of plans for a 42-unit apartment, nearly completed; the ordinance was passed giving 5-days notice, and was received by him one day before the deadline to get the plans in. Mr. Sulser attempted to contact the architect who was away on a vacation; otherwise the plans would have been in and there would be a 42-unit apartment building sitting on the property today.

A similar experience involving short notice was had by Mr. Sulser recently in that at the time of application for the subject variance, 22 sets of plans were requested -- these plans were furnished with the application. Some ten days ago, according to Mr. Sulser, another 19 sets of plans were requested -- it then developed that the architect was in Europe for three weeks, which necessitated rushing an old set of plans to a blueprint company in order to comply with the City's request.

It was then requested by Mr. Sulser that the record of this case incorporate testimony of the zoning hearings, all testimony before the Planning Commission, all reports filed on this variance application, as well as the testimony on any and all other hearings on this matter. Mayor ProTem Johnson stated, and the Council concurred, that there were no objections to this request.

Mr. Sulser then stated that the original action taken by the Council, in the opinion of their legal counsel, is null and void -- however, it is only because of the legal advice of their attorney, pursuant to the ruling of Judge Healey that they had not exhausted their administrative procedures that prompts their appearance at this time.

It is their sincere desire, Mr. Sulser continued, for the subject variance as requested; they do not consider this a "dry run" or a "dress rehearsal", and they feel that they have valid grounds for the following reasons: It was by action of the City of Torrance that the subject variance was even applied for -- the land previous to 1964 was zoned C-2, and was rezoned in 1964 to R-3 because of a lot split and was agreeable to the owners. Further, the proponent has drawn two sets of plans (one set for a 42-unit which could be built under the old ordinance which existed prior to November 25, 1968). Appeal was made to the City Council, Mr. Sulser added, on July 15th for relief under this ordinance, which was denied; they did not have sufficient recreation area, along with two more units than was permissible under the new ordinance -- at that time they were advised by the City Council that appeal could be made to the Planning Commission for variance and possibly be granted these additional two units.

Mr. Sulser stated that they did not wish to do so, and the next day signed a contract to have a set of plans drawn for a 30-unit apartment house -- these plans were prepared and were near completion (in fact, a preliminary set of these plans had been signed by a member of the Planning Department that it did meet all the requirements of the Planning Department, the date being July 20, 1969) -- and on August 1st Mr. Sulser came to City Hall with these plans, completed with the exception of some minor details and some engineering; at this time he was told that a petition had been circulated and the matter had been referred to the Council meeting of August 5th to be rezoned from R-3 to R-1. Mr. Sulser indicated that he would not further elaborate on what transpired inasmuch as it is contained in the minutes on this matter.

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Mr. Sulser next referred to the August 5, 1970 memorandum to the Planning Commission from Deputy Attorney Allen wherein the criteria for granting a variance is defined (Page 2), specifically noting:

"a) There are practical difficulties or unnecessary hardships resulting from the strict enforcement of this Division." Mr. Sulser commented in this regard that his previous testimony has repeatedly stated, in reference to R-1 zoning, that the subject property could not be developed into more than three lots, without going into a street and considerable expense and minus any benefit. Mr. Sulser added that even with three lots, a variance would be necessary to do this.

Next noted was Page 3 of Mr. Allen's memorandum, relative to expected earnings -- Mr. Sulser commented that he has repeatedly stated that Mr. Hunt stands to lose in excess of \$70,000 because of this change of zone, noting that the \$70,000 is not expected earnings, were the expected earnings added, it would be considerably more -- this represents a direct loss from what Mr. Hunt paid for the property, and what he has in the property, and all the money he could obtain from sale of the property were the City to zone it back to R-1 (the bare ground).

An application for a variance for a 30-unit apartment building has been submitted, Mr. Sulser continued -- the Planning Department has stated that the recreation area contained on the top of two of the apartments might not meet their requirements, and Mr. Sulser indicated that they have agreed to remove these two apartments and will build only 28 units, and put the recreation area on ground level. Mr. Sulser added that this has been completely reviewed, and even if only a 28-unit is built with ground-level recreation area, it still is not financially feasible in view of the cost of the land today -- but they are willing to do so and take this particular loss, with expected earnings represented by the sale of the building, it might avoid a loss. However, Mr. Sulser stated that a 28-unit is the very minimum that they can consider building -- the plans are near completion; there are two more parking spaces than required by ordinance.

Mr. Sulser then returned to Deputy Attorney Allen's August 5th memo (Page 2) and the variance criteria, noting:

"b) If it will not be materially detrimental to the public welfare or to the property of other persons located in the vicinity thereof." It was Mr. Sulser's comment that on these three streets -- 227th, 228th, and 229th -- a search of the records reveals that there are approximately 108 pieces of property, representing some 81 residences which were developed prior to 1964 (at a time when the subject property was zoned C-2); 13 of these properties have been developed since that date when the zoning was R-3, and there are approximately 13 undeveloped lots in the area.

It does not seem to Mr. Sulser that the zoning, or potential use, of the subject property has hindered the buying and selling of properties in the area. Further noted by Mr. Sulser was the fact that there is an existing 28-unit apartment house on 227th and Pennsylvania with 1-to-1 parking, on a lot approximately half the

size of the subject property and is on an R-1 lot, which would make it appear that people in the area are being allowed benefits which they are being denied.

Next discussed was item c) in Mr. Allen's memo: "If it will not substantially interfere with the orderly development of the City as provided for in the Official Land Use Plan." Mr. Sulser then referred to hearings before the Planning Commission and the City Council in 1963 and 1964, at which time this area was studied and which resulted in R-3 zoning -- Mr. Sulser cannot see how a 28-unit apartment house on this lot could interfere with the orderly development of the City.

As to traffic, Mr. Sulser stated that there are no problems; the Traffic Department has indicated that it will not lend to the traffic in the area or create congestion in the area.

In conclusion, Mr. Sulser stated his opinion that Mr. Hunt is entitled to build these 28 units, and it would be hoped that the "liberty and justice for all" recited in the flag salute would be reflected in justice for Mr. Hunt.

At Councilman Uerkwitz' question relative to the conditions imposed by the Planning Department and agreement thereto, Mr. Sulser indicated that he was not in agreement since adherence to them would necessitate the drawing of a new set of plans, some \$3400 now tied up in the present set of plans; to try to incorporate additional garaging, according to Mr. Sulser, would make the drawing of new plans necessary along with the additional expense. Mr. Sulser also stated, at Councilman Sciarrotta's question, that they are definitely opposed to a Precise Plan.

Councilman Sciarrotta then inquired of the City Attorney if the Council had the right to impose a Precise Plan in this case; Deputy Attorney Allen responded that if the Council grants the variance, the Council has the right to impose the Precise Plan. Mr. Sciarrotta expressed his concern that the neighborhood look good, particularly in view of the nearby undesirable apartment development, and reiterated that a Precise Plan would be mandatory for a "yes" vote from him.

Mr. Sulser elaborated on his objections to the Precise Plan requirement -- the tremendous expenses in connection with this property with taxes, interest, etc. in excess of \$1000 per month make a Precise Plan, with additional contingencies imposed, unfeasible.

It was noted by Councilman Uerkwitz that Mr. Sulser had indicated a compromise, only to now indicate "give us what we ask for or nothing", and not willing to comply with the enclosed parking or the Precise Plan, or the other Staff recommendations. Mr. Sulser responded that under R-3 zoning 40 units could be built, adding that, at the direction of the City Council on August 12, 1969, to "get together with the people in the area to work out a compromise"; they met with some 30 residents in order to cooperate in the design, etc. -- the residents were negative and indicated that they wanted only R-1 zoning for the subject property. This resulted, according

to Mr. Sulser, in the compromise 28 units, to be designed as desired by the neighborhood, with the desired color, etc.

Councilman Uerkwitz then questioned Mr. Sulser's objection to the Precise Plan, in view of this. Mr. Sulser answered that they are offering 12 units under what could be built even under the new ordinance (some 22 units under the old ordinance) -- further, because of actions of the City the 42-unit was not built; a 30-unit plan followed which was altered to provide the 28-unit development, but proved unacceptable to the residents.

At Councilman Wilson's question relative to the Utility Formula, it was clarified by Planning Director Shartle that this formula would not apply until there is more than 1 unit per 1000 sq. ft. -- since the proponent has approximately one acre he would ^{not} be under the Utility Formula requirement -- ^{but} he would be compelled to comply with the ordinance as to open space, parking, etc.; Mr. Shartle also advised that under the present ordinance the proponent could have approximately 40 units.

Deputy Attorney Allen advised the Council that they must make a finding that the development will not be materially detrimental to the neighborhood, and the Precise Plan may be the important reason and may substantiate the Council giving any variance -- the Precise Plan well may be the key, according to Mr. Allen. It was the comment of Mr. Sulser that they had agreed to a Precise Plan a year ago, but that was before the expenditures in interest and taxes.

Councilman Uerkwitz stated that the Council has the obligation to protect the neighborhood, as well as to treat the proponent fairly -- in the opinion of Mr. Uerkwitz the Precise Plan is that protection, although he would agree that the 28-unit development represents a good compromise -- but without a Precise Plan it doesn't mean anything.

It was Mr. Sulser's response that they propose to build what is before the Council -- it is a pretty good looking building and a good layout -- but to go through a Precise Plan is another long, drawn out procedure, with additional hearings before the Planning Commission and the Council, and when adding on is proposed which involves redrawing of plans, there are many architectural fees, and it would be questionable whether or not it would be feasible to build the building.

Mayor Pro Tem Johnson inquired if anyone else wished to be heard; there was no response.

Councilman Sciarrotta moved that the hearing be closed; his motion, seconded by Councilman Wilson.

Prior to roll call vote, Councilman Wilson indicated that he had a question for the Deputy Attorney -- if the variance is not granted, is there basis for legal action regarding hardship? Mr. Allen advised that it would be necessary for Mr. Sulser to prove hardship to the land -- personal economic hardship has no bearing -- any law suit would have to show that the Council rezoning, if this

be the case, presented an unreasonable hardship to the land -- for instance, should it not be possible for Mr. Hunt to get the same type of R-1 development out of this property as the adjacent home owners, then it would be a hardship to him.

Councilman Brewster inquired if it were possible for the proponent to divide the property into roughly equivalent R-1 parcels -- Planning Director Shartle advised that this could be done by running a street along the southerly side of the property, in accordance with a plan that has been worked out with Staff and presented to the Planning Commission for public hearing. However, the point made by Mr. Sulser in previous hearings, according to Mr. Shartle, the construction of such a street would cost "x" number of dollars, such cost offset against the value of the lot that he could create, would make it impractical for him to do so, and he would be better off, for single family development, cutting it off into lots facing Cypress, rather than putting in another street. As to the time involved in acquiring such a street, Deputy Attorney Allen advised that condemnation action would be necessary as well as a 1911 Act and would consume approximately two years in time, depending on the length of time required for acquisition of the land.

Then questioned by Councilman Brewster was whether or not time in, of, and by itself which delays the development of the property is considered a hardship running with the land? Deputy Attorney Allen replied in the affirmative, noting that if the proponent cannot use the land for the purpose for which it is zoned immediately, it would represent hardship.

Councilman Uerkwitz returned to the Precise Plan discussion and clarification thereof as to the allegations that it is quite lengthy and quite expensive. Planning Director Shartle advised that the processing time is approximately three to four weeks, providing that the Planning Commission action is final and not appealed to the Council; if a satisfactory conclusion is not reached at the Planning Commission level, another three or four weeks may be added. The cost is a filing fee of approximately \$50.00. Mr. Shartle added that the procedure is not too different than it would normally be employed in a variance anyway, in that when a variance is granted for a development, apartments or whatever, it is generally desired to see detailed plans anyway and make the approval subject to adhering to those approved plans. In the opinion of the Planning Director no particular hardship is imposed, as far as time or money, by a Precise Plan requirement in that in the normal process in the granting of a variance requires about thirty days to prepare a resolution for adoption by the Council - during that 30 days a Precise Plan application could be processed.

Mayor Pro Tem Johnson requested roll call vote on Councilman Sciarrotta's motion to close the hearing. The motion carried, as follows:

AYES: COUNCILMEN: Brewster, Johnson, Sciarrotta, Surber,
Uerkwitz, and Wilson.
NOES: COUNCILMEN: None.
ABSTAIN: COUNCILMEN: Mayor Miller.

Councilman Wilson requested that Mr. Sulser indicate his specific objections to the recommended Staff conditions:

"(a) A maximum of 28 units" (instead of 20) was indicated as acceptable by Mr. Sulser.

"(b) A maximum of two stories in height." Okay with Mr. Sulser.

Staff condition (c) "A minimum of 50 parking spaces preferably in a subterranean garage, but in any case completely enclosed with garage doors." was reviewed. Planning Director Shartle noted that the 50 parking spaces were based upon a development of 20 units -- 28 units would require 56 parking spaces. Objections were voiced by Mr. Sulser for the reason that it would necessitate completely new plans, both as to the 56 spaces and the subterranean garage, representing considerable cost and time.

Councilman Surber referred to Staff comments to the effect that there is nothing outstanding about the apartment house; it would seem to him that this makes the Precise Plan very necessary. Further noted by Mr. Surber was the comment that "all the second floor apartments would be served by a motel-type walkway"; he would concur with Councilman Sciarrotta as to the unattractiveness of the adjacent motel-type development -- a similar development would not be appropriate at this location where there are \$40,000 to \$50,000 homes. If the event the Council approves this request, it should be a first rate development, and it would appear that the subject request leaves much to be desired.

Mr. Sulser responded to the above comments, deeming them a matter of personal opinion -- Mr. Sulser then asked if there are conditions imposed that make it impractical to build, then why even grant the Precise Plan in the first place? Councilman Uerkwitz stated that the Council might not be in agreement that it is impractical to build. Noted by Councilman Sciarrotta was the Council's responsibility to the neighborhood, and they are opposed to apartments; further, should apartments be allowed, the Council desires something beautiful.

In response, Mr. Sulser stated that Mr. Hunt purchased this lot which was zoned R-3 in good faith -- the sign was on the property for four or five years; the people in the area saw it -- Mr. Hunt's representative came to the Building Department and to the Planning Department to determine exactly what could be built; he then purchased the property and drew the plans, all in good faith. Now, the Council in requesting a Precise Plan, is asking that there be a new set of plans drawn at a cost of perhaps \$3000, to come back before the same body and say "can we build it?" and it can still be denied; it can still be changed, and it can still be contingent, with additional expenses continuing. Mr. Sulser added that he would like to see action taken on this matter -- if it is not granted, then they can go to court and let them make the decision.

Discussion returned to the Staff conditions, and Mr. Sulser indicated that conditions (c), (d), and (e) were not agreeable.

MOTION: Councilman Uerkwitz moved that Variance 70-11 be granted, based on a Precise Plan with the above noted corrections to the parking spaces as required by the ordinance (2-to-1), and with the stipulations as applied by the Planning Department, and permitting the 28 units. The motion was seconded by Councilman Sciarrotta.

Prior to roll call vote, it was the suggestion of Councilman Brewster that perhaps preferable action would be that V 70-11, as proposed by Mr. Hunt, be denied, but that a variance which meets the conditions of the Planning Department with modifications be approved. City Attorney Remelmeyer advised that Councilman Uerkwitz' motion is in order.

Councilman Brewster then recommended that the record reflect that the Council has made certain findings in this case -- Deputy Attorney Allen indicated that this would be accomplished following roll call vote on the motion.

The motion carried, with roll call vote as follows:

AYES: COUNCILMEN: Brewster, Johnson, Sciarrotta, Surber,
Uerkwitz, and Wilson.
NOES: COUNCILMEN: None.
ABSTAIN: COUNCILMEN: Mayor Miller. .

The question was asked the Council by Deputy Attorney Allen: "Do you find that there are practical difficulties or unnecessary hardships resulting from the strict enforcement of the Torrance Municipal Code setting the Hunt property as R-1?" The Council responded "yes". Councilman Brewster added that the matter of the street creates the hardship. (Mayor Miller abstaining).

Next questioned by Deputy Attorney Allen: "Under the Precise Plan as voted upon, will the granting of the variance be materially detrimental to the public welfare or to the property of other persons located in the vicinity thereof?" The consensus of the Council was that "with the Precise Plan the granting of the variance would not be detrimental". (Mayor Miller abstaining).

Deputy Attorney Allen's final question to the Council: "Will the variance as granted, with the Precise Plan, substantially interfere with the orderly development of the City as provided for in the Official Land Use Plan?" The Council unanimously responded "no". (Mayor Miller abstaining).

Mayor Pro Tem Johnson announced that this concluded the case, and turned the chair back to Mayor Miller to proceed with the meeting.

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(Considered, out of order, at this time:)

SECOND READING ORDINANCES:

26. ORDINANCE NO. 2145 relating to Billboards.

Mr. Dan Walker, Foster and Kleiser, 1550 West Washington Boulevard, Los Angeles, requested a 30-day continuance on the subject ordinance. It was ascertained by the Council that the Emergency Ordinance would still be in effect during this period.

MOTION: Councilman Sciarrotta moved to concur with the requested 30-day continuance. His motion was seconded by Councilman Johnson, and there were no objections.

The Council then returned to:

13. A. ZONE CHANGE 70-21, TORRANCE PLANNING COMMISSION.
Change of zone from R-3 and C-1 to R-1, C-R, R-P and M-L on property located on the east and west sides of Apple Avenue between Washington and Santa Fe Avenues, and on the west side of Arlington Avenue between Washington and Lincoln Avenues.
PLANNING COMMISSION RECOMMENDS APPROVAL.
- B. PETITION opposing Zone Change 70-21 from Apple Avenue property owners, containing 26 signatures.

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

Mayor Miller announced that this is the time and place for the public hearing on Zone Change 70-21, and invited those who wished to speak to do so at this time.

Mr. Michael Moore, 2513 Apple Avenue, called the attention of the Council to the large number of people in the audience wearing R-3-Apple tags as silent testimony to their desire for the existing R-3 Apple Avenue zoning to remain intact. Mr. Moore reviewed the assorted Staff material on this matter and labelled them by and large conclusions minus fact, along with review of Planning Commission action.

It was added by Mr. Moore that the residents have made a substantial defense against the proposed zone change, and it would seem that a unanimous vote from the Council would be in order -- the problem in this case is probably one of geriatrics, since this is a very old part of Torrance with signs of deterioration evident with old development replaced in most cases with multi-unit development. R-1 zoning would result in stagnation, in Mr. Moore's opinion.

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Mr. Wayne Thurman, 2610 Apple Avenue, commented on the Planning Commission feeling that R-3 zoning would create traffic problems -- there are certain problems at the present time, particularly during football season, but they are of no consequence. Mr. Thurman added that he purchased the subject property, knowing it was R-3, paying R-3 prices and taxes -- and while he probably never will be able to do anything with the property insofar as building is concerned, he likes it the way it is; the other property owners, virtually 100%, feel the same and ask that it remain R-3.

Next to speak was Mr. Curt Fengler, 807 Beech, who stated that he was serving as spokesman for the Apple Avenue property owners and pointed out that the properties in the surrounding area are better than 50% R-3 properties; to zone the subject properties R-1 would be strictly "patchwork" zoning. From a planning standpoint, according to Mr. Fengler, it does not appear to have merit; from an economic standpoint it is the feeling of the property owners that it would be disastrous, in that at today's construction prices who would want to build a new home next to a small or large unit.

Mr. George Crabtree was the next speaker; he is the owner of an apartment house at the corner of Santa Fe and Apple, and stated that he first started negotiating for this land in 1952 at which time the area was zoned R-3; it is still zoned R-3. Mr. Crabtree added that he was fortunate enough to be able to develop the existing 14 apartments, and that he is speaking for the people in this area with ambitions to improve their homes into apartments. He is opposed to changing the zoning from R-3; leave it as it is, Mr. Crabtree concluded.

Speaking in favor of the proposed rezoning, Mr. James Leech, 2325 Apple Avenue, stated that he was born and raised in Torrance and has observed the deterioration in certain areas -- he would not like to see this happen on Apple Avenue.

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

Noted by Councilman Brewster was the fact that there is currently a manufacturing concern in the quonset hut, north of Santa Fe, under a conditional use permit -- it does not appear that they have lived up to all the conditions of that permit; if they are rezoned into a manufacturing zone, are they then excused automatically from the remainder of the conditions? City Attorney Remelmeyer responded that if they are rezoned to a manufacturing zone, so long as they complied with the requirements of the manufacturing zone, to that extent they would be excused from the conditions of the conditional use permit. Staff will check into this further.

Mayor Miller commented that there are many commercially zoned areas throughout the City completely developed with apartment houses -- in an attempt to bring the zoning into conformity with the use, the subject situation has created a tempest in a teapot in view of the mixed nature of this area.

Councilman Uerkwitz pointed out that the subject property is older property which must be redeveloped some time -- the City has ample controls on apartment units, and they should be employed, rather than trying to control the zone.

MOTION: Councilman Uerkwitz moved that the Council DENY the recommendation of the Planning Commission and maintain the zone as it presently exists. The motion was seconded by Councilman Surber.

It was pointed out by Councilman Brewster that the other aspects of the zoning case - the C-R and M-L zones - are overlooked with the above action.

Councilman Johnson commented that, generally speaking, when a group of people are banded together as a neighborhood, it is his feeling that within the broad framework of what the City is looking for, these people should have a very large say in what they want for that neighborhood. Obviously, Mr. Johnson continued, if what they want is going to completely upset another similar neighborhood, then it must be weighed very heavily. In this case, the neighborhood is completely isolated, and this is what they want, it is zoned in that manner -- Councilman Johnson cannot conceive of switching this around to R-1 when, in fact, they are already, roughly, 50% R-3; the matter should never have come up, and he would vote to deny the Commission's recommendation.

Mayor Miller indicated that he was inclined to agree with Councilman Johnson, adding that his concern is for the Arlington and Washington frontage, rather than the R-1 and R-3 on Apple and Lincoln.

Added by the Mayor was his opinion that in reviewing a problem area containing both R-3 and R-1, it is easier, economically, to convert to R-3 than to revert back to R-1 -- there is a need in the subject case for consistency in the neighborhood. Mayor Miller is not adverse to an R-3 zone, and he would not advocate the changing thereof -- his concern is for the over-density aspect of apartment development over the Code allowance.

A SUBSTITUTE MOTION was offered by Councilman Brewster: Re: ZC 70-21, that Council approve a change of zone so that the parcel lying between Arlington and the alley to the west, between Lincoln and Washington, be rezoned from C-1 to C-R Precise Plan; that the R-3 property to the north of the Santa Fe Railroad, bordering on Washington, be rezoned from R-3 to M-L; and that the remainder be left R-3. The motion was seconded by Councilman Sciarrotta.

The motion carried, with roll call vote as follows:

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

NOES: COUNCILMEN: Uerkwitz. .

Councilman Uerkwitz felt there should be additional hearings on the C-R and M-L zonings, hence his "no" vote.

(Considered at this time, out of order:)

ORAL COMMUNICATIONS:

32. Park and Recreation Commissioner Naomi McVey, 227 Via Anita, Redondo Beach, requested Council approval of her attendance at the National Citizens' Committee Conference, being held in conjunction with the 1970 Congress of the National Park and Recreation Association, in Philadelphia on September 27th through October 1st, with expenses of approximately \$492.00.

The accomplishments of the National Citizens' Committee, with membership primarily consisting of Park and Recreation Commissioners throughout the United States, were outlined by Mrs. McVey -- it was noted by her that she would not, in a true sense, be representing the City's Park and Recreation Commission, her main responsibility being to the California Park and Recreation Society, but her presence at this Conference should reflect favorably on the City of Torrance and there will be the inevitable benefits for the Park and Recreation Commission.

In the opinion of Councilman Johnson the City would be getting considerable mileage in the fact that Mrs. McVey, a Commissioner, is called upon to serve in this capacity -- her attendance at the Conference would be most worthwhile. Mr. Johnson thereupon MOVED that Council grant the subject request, with appropriate expenses paid, not to exceed \$500. (There was no second to the motion.)

Discussion was then directed to Council policy regarding trips for Commissioners. City Manager Ferraro reported that the present policy indicates that Commissioners may not travel out of the State, and that there has been no deviation from this policy since its adoption, with previous requests of this nature having been denied by the Council.

There was unanimous agreement by the Council as to the merits and prestige of the invitation, but it was generally conceded that there was no alternative but to adhere to established Council policy.

MOTION: Councilman Uerkwitz moved to DENY the subject request. The motion was seconded by Councilman Surber.

Prior to roll call vote on the motion, Park and Recreation Commission Chairman Dean Cole urged that Council approve the request.

The motion carried, with roll call vote as follows, "yes" being for denial:

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

NOES: COUNCILMEN: Johnson.

Councilman Brewster recommended that there be review of the existing policy, and there were no objections.

* * * *

A 10-minute recess was ordered by Mayor Miller at 9:10 P.M.

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(Considered at this time, out of order:)

PERSONNEL MATTERS:

24. Letter from Torrance Police Officers Association requesting attendance at the 18th Annual Conference of the Police Officer Research Association.

Officer Phillip Joseph was present on this matter to request approval for the attendance of five representatives to the subject conference.

The City Manager's note recommending that Council defer this action until the time of the consideration of the Council Police, Fire and Public Safety Committee ^{report} on the subject of employee relations leave, was specifically pointed out by Councilman Wilson who was in agreement with this suggestion.

Councilman Sciarrotta indicated that the Council Committee report will recommend the establishment of a new policy -- Mr. Sciarrotta's primary objection to this request is the number of people involved.

MOTION: Councilman Sciarrotta moved that two representatives from the Torrance Police Officers Association be permitted to attend the subject conference. The motion was seconded by Councilman Surber, and carried as follows:

AYES: COUNCILMEN: Brewster, Johnson, Sciarrotta, and Surber.

NOES: COUNCILMEN: Uerkwitz, Wilson, and Mayor Miller.

PLANNING AND ZONING MATTERS:

14. Conditional Use Permit Requirement for Drive-up Accessory Uses in Commercial Parking Lots.

RECOMMENDATION OF PLANNING DIRECTOR:

If Council concurs, the matter should be referred to the City Attorney for preparation of the necessary ordinance.

MOTION: Councilman Wilson moved that the subject matter be referred to the City Attorney for preparation of the necessary ordinance. The motion was seconded by Mayor Miller, and roll call vote was unanimously favorable.

15. ORDINANCE reclassifying property described in Zone Change 70-18.

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

ORDINANCE NO. 2146

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

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WHICH IS LOCATED AT THE NORTHEAST CORNER OF
182ND STREET AND PRAIRIE AVENUE, AND DESCRIBED
IN ZONE CHANGE 70-18.
(Lucille Forsythe)

Councilman Wilson moved for the approval of Ordinance No. 2146 at its first reading. His motion, seconded by Councilman Sciarrotta, carried as follows:

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

STREETS AND SIDEWALKS:

16. MORATORIUM ON MAKEUP PAVING POLICY.

RECOMMENDATION OF CITY ENGINEER:

That the moratorium continue until such time as Council Public Works Committee makes its final report to the City Council.

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

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

SEWERS AND DRAINAGE:

17. RESOLUTION regarding County of Los Angeles, Board of Supervisors, proposal that construction of 286 storm drains be financed by a bond issue to be placed on November 3rd ballot.

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

RESOLUTION NO. 70-200

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE ENDORSING LOS ANGELES COUNTY PROPOSITION A AND RECOMMENDING THAT THE VOTERS EXPRESS THEIR APPROVAL BY VOTING "YES" ON PROPOSITION A ON NOVEMBER 3, 1970.

Councilman Sciarrotta moved for the adoption of Resolution No. 70-200. His motion was seconded by Councilman Johnson, and roll call vote was unanimously favorable.

City Manager Ferraro stated that Proposition A above referred to is very vital to Torrance because it has to do with the completion of the Master Drainage Program on major streets, and requested permission to develop a fact sheet (as was done in a previous bond situation, at an amount not to exceed \$150) showing the location

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and its effect on Torrance for distribution to local organizations for dissemination.

MOTION: Councilman Uerkwitz moved to concur with the above request of the City Manager, not to exceed \$150. His motion was seconded by Councilman Johnson, and there were no objections.

REAL PROPERTY:

18. RESOLUTION authorizing agreement for the purchase of Parcel No. 19 for the widening of Del Amo Boulevard easterly of Crenshaw (Banda).

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

RESOLUTION NO. 70-201

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST THAT CERTAIN AGREEMENT FOR THE PURCHASE OF PARCEL NO. 19 REQUIRED FOR THE WIDENING OF DEL AMO BOULEVARD.
(Banda)

Councilman Uerkwitz moved for the adoption of Resolution No. 70-201. His motion was seconded by Councilman Brewster, and roll call vote was unanimously favorable.

19. RESOLUTION finding and determining that the public interest and necessity require the City act to preserve the public's use and enjoyment of certain real property located in said City and directing the City Attorney to bring and prosecute an action to acquire Quiet Title to a public easement in said real property for recreational purposes (Torrance Beach).

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

RESOLUTION NO. 70-202

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE FINDING AND DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE THAT THE CITY OF TORRANCE ACT TO PRESERVE THE PUBLIC USE AND ENJOYMENT OF CERTAIN REAL PROPERTY LOCATED IN SAID CITY AND DIRECTING THE CITY ATTORNEY TO BRING AND PROSECUTE AN ACTION IN THE SUPERIOR COURT TO ACQUIRE QUIET TITLE TO A PUBLIC EASEMENT IN SAID REAL PROPERTY FOR RECREATIONAL PURPOSES.

Mayor Miller invited comments at this time.

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Mr. Richard Hall, 4622 Paseo de las Tortugas, speaking on behalf of the Executive Board, Riviera Homeowners Association, stated that they are very much in favor of the subject resolution. It is their suggestion that the City go into a joint action with the City of Redondo Beach and acquire all the land that can be acquired by the Santa Cruz case in the beach area. It was the further recommendation of the Executive Board that the City suggest to the Los Angeles County that the funds appropriated by them for purchasing the Torrance beach land be used for acquiring bluff property, specifically, the old Riviera Beach Club property.

Clarification regarding the exact location of the Beach Club property was furnished by Mr. Stanley Dunn. City Attorney Remelmeyer indicated that he would check into this possibility and report back to the Council.

Mr. Dunn further recommended, as a homeowner, that the merits of creating a public easement on the privately owned vacant property now serving as a thoroughfare to the beach be reviewed by the City Attorney to be included in the subject action. Mr. Remelmeyer indicated that this possibility would be checked out as well.

A further recommendation by Mr. Dunn was that a building moratorium be placed on the above property until the public right of access is determined. This will also be checked out by the City Attorney.

Councilman Brewster moved for the adoption of Resolution No. 70-202. His motion, seconded by Councilman Wilson, was unanimously approved by roll call vote.

FISCAL MATTERS.

20. 1971 Rose Parade Float.

Withdrawn.

AIRPORT MATTERS:

21. RESOLUTION re: Wyle Laboratories preliminary acoustical survey and report for the proposed Noise Ordinance.

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

RESOLUTION NO. 70-203

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF TORRANCE AUTHORIZING THE MAYOR
AND CITY CLERK TO EXECUTE AND ATTEST THE
CONTRACT BETWEEN THE CITY OF TORRANCE AND
WYLE LABORATORIES, INC.

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Councilman Johnson moved for the adoption of Resolution No. 70-203. His motion was seconded by Councilman Sciarrotta, and roll call vote was unanimously favorable.

* * * *

The hour being 9:45 P.M. Councilman Sciarrotta moved to recess as City Council, and reconvene as the Redevelopment Agency. His motion was seconded by Councilman Uerkwitz, and roll call vote was unanimously favorable.

The Council returned to its agenda at 9:55 P.M.

* * * *

PARK AND RECREATION:

22. GENERAL OBLIGATION BOND ISSUE CONSULTANT.

RECOMMENDATION OF BOND STEERING COMMITTEE:

That the firm of Griffenhagen-Kroeger, Inc. be hired as consultant and that the consultant's guidelines as set forth in their bid proposal be followed.

RECOMMENDATION OF FINANCE DEPARTMENT:

On June 22, 1970, the City Council reserved \$13,000 from the General Fund for this work. We recommend that approval of this item should include an appropriation of \$9,850 from the reserve account, with the balance of \$3,150 to remain in reserve status to provide for contingencies.

Councilman Uerkwitz moved to concur with the above recommendations of the Bond Steering Committee and the Finance Department. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

The time frame of this undertaking was questioned by Councilman Brewster, and Director of Recreation Van Bellehem indicated that the consultant likely would start work in approximately one month, with the presentation of the study to the Council in approximately sixty days thereafter; then around January 5th, following Council and Staff study, it could be returned to the agenda to set a date for public hearings on the findings.

Councilman Wilson inquired if there had been any word from the School Board regarding a bond issue. Mr. Stan Dunn responded to this question, stating that the School Board has been advised by its legal counsel that they are not ready to certify any bond election until the Supreme Court ruling on the "one-man one-vote" rule.

Concern was indicated by Councilman Brewster in that the Griffenhagen-Kroeger statement of work appears to be 95%-100% oriented towards park and recreation facilities; it had been Mr. Brewster's understanding that other kinds of capital improvements were to be kept in mind -- he would recommend that other kinds of capital improvements remain as part of the project, at least through the study by the consultant.

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The Chairman of the Bond Steering Committee, Mr. Dean Cole, stated that ^{they} have advised the Consultant, and will again do so, that his findings should be one of the total City wants, but park and recreation should be heavily stressed.

ITEMS NOT OTHERWISE CLASSIFIED:

23. CLAIM of Anthony F. Zwinak, Jr. for property damage.

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.

REQUEST OF COUNCILMAN JOHNSON that this claim be returned for reconsideration.

Councilman Johnson stated that he has reviewed this matter with the City Attorney, it being the City Attorney's recommendation that the matter be referred back to him, without comment. Councilman Johnson so MOVED; his motion was seconded by Councilman Uerkwitz, and roll call vote was unanimously favorable.

PERSONNEL MATTERS:

24. TPOA re: attendance at Police Officer Research Association.

Heard earlier in the meeting.

SECOND READING ORDINANCES:

25. ORDINANCE NO. 2043 relating to Leave of Absence.

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

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 Wilson moved for the adoption of Ordinance No. 2043 at its second and final reading. His motion was seconded by Councilman Johnson, and roll call vote was unanimously favorable.

26. ORDINANCE NO. 2145 relating to billboards.

Heard earlier in the meeting.

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NONCONTROVERSIAL ITEMS:27. EXPENDITURES OVER \$300:RECOMMENDATION OF FINANCE DIRECTOR:

That Council approve the following purchases:

A. BUDGETED.

1. \$819.20 to S & J Chevrolet for one only Allison Transmission as requested by the City Garage for repair of refuse packer (Unit #9014).
2. \$501.13 to BFA Educational Media for two training films on "Speeding and Marijuana" as requested by the Police Department for use in their training program.
3. \$1,545.53 to Los Angeles County Assessor for one complete set of the 1970 assessment rolls as requested by the Engineering and Planning Departments for use in their zoning and right-of-way operations.
4. \$428.09 to GMC Truck and Coach for various GMC repair parts as requested by the City Garage.
5. \$946.98 to Bell & Howell for one only Ditto Duplicator as requested by the City Librarian for use at the Central Library.

B. SPECIAL ITEMS:

6. \$345.45 to Kurt L. Schwarz for 17 adult books.
7. \$413.03 to Campbell & Hall of Boston, Massachusetts for 72 adult books.
8. \$2,921.90 to Campbell & Hall, c/o Harry R. Wilson, for 418 adult books and 28 juvenile books.

28. IMPROVEMENT OF VAN NESS AVENUE BETWEEN SAN DIEGO FREEWAY AND DEL AMO BOULEVARD. (Job #66006)RECOMMENDATION OF CITY ENGINEER:

That the additional work described in his letter of transmittal dated September 16, 1970, be approved.

MOTION: Councilman Sciarrotta moved to concur with the recommendations on agenda items #27 and #28. His motion, seconded by Mayor Miller, carried as follows:

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

NOES: COUNCILMEN: None.

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29. AMENDMENT TO ARCHITECTURAL CONTRACT FOR CITY HALL ADDITION.

RECOMMENDATION OF BUILDING AND SAFETY DIRECTOR:

That the architect's fees be approved in the amount of \$7,533.45 and that the contract for the services be amended to reflect this change.

RECOMMENDATION OF THE FINANCE DIRECTOR:

Refunds from the Civic Center Authority are not yet a fact. As with all other expenditures on this project to date, we recommend that approval of this item include an appropriation of \$7,534 from the General Fund Unappropriated Reserve. Any future refunds will, of course, be returned to the General Fund and will cancel applicable appropriations.

Councilman Johnson cautioned the City Manager and Staff in that each time there are changes, the architect will add fees; all anticipated changes should be incorporated in this change since the City soon will have to pay for CCNs (Contract Change Notice).

MOTION: Councilman Uerkwitz moved to concur with the above recommendations of the Building and Safety Director and the Finance Director. His motion was seconded by Councilman Brewster, and roll call vote was unanimously favorable.

30. CLAIM of Henry F. Martin for false arrest.

RECOMMENDATION OF CITY CLERK:

That said claim be denied and referred to the City Attorney.

It was the request of Councilman Brewster that a copy of the confidential report being prepared on this matter be made available to the Council.

MOTION: Councilman Brewster moved to concur with the above recommendation of the City Clerk. His motion was seconded by Councilman Johnson, and roll call vote was unanimously favorable.

ADDENDUM ITEM:

31. "PROJECT QUEST" - Youth Welfare Commission.

REQUEST OF YOUTH WELFARE COMMISSION:

That the City Council refrain from any further public statements on Project Quest until this Commission has ended its investigation. It seems a public retraction from Mr. Surber (Oral Communication, September 15, 1970 Council meeting) would be in order.

In an attempt to clear the air, it was the comment of Councilman Johnson that Councilmen are elected by the people, to serve the will and pleasure of those people to the best of their ability and knowledge of what the people want -- the Council must hold that it must speak whenever it is felt that so speaking is in the best interests of the citizens. Commissions, on the other hand, Councilman Johnson continued, are appointed by the Council and

serve at the will and pleasure of the Council, noting as well the outstanding job done by City Commissions. Councilmen do not, and should not, have to restrain their comments when there is a need, except in cases where otherwise instructed by the City Manager or the City Attorney as to the need for ^{silence} in matters involving possible litigation. Councilman Johnson ^{stated} that when it is felt by him that there is a need to speak, he will continue to speak -- he will not yield in this point.

Councilman Uerkwitz moved to file the subject item.

Agreement with the right of a Councilman to introduce matters of concern was expressed by Councilman Sciarrotta -- it seems to him that the subject letter represents a command to the Council, which happens to be the people the Youth Welfare Commission is serving, and lacks good taste.

Mayor Miller ruled that the matter of retraction would be a decision entirely up to Councilman Surber. It was an added request of the Mayor that those who propose to appear before the Council regarding "Project Quest" to first furnish their comments and information to the Youth Welfare Commission in order that the findings and recommendations of this Commission may be complete and thereby better assist the Council in its determination.

It was further noted by Mayor Miller that no action is required. Councilman Uerkwitz agreed; however, it does express an opinion, and he does not wish to honor the Commission's suggestion that the Councilmen be "muzzled", regardless of whether he is in agreement or disagreement with particular philosophy or with their stand on any issue, their right to be heard should be reserved. It seems to Councilman Uerkwitz that the Youth Welfare Commission got a little carried away in their efforts to do a good job.

Reservations as to the legality or illegality of taping Mr. Drucker's tapes were reiterated by Councilman Surber -- with an answer yet to be received from the City Attorney. Mr. Remelmeyer clarified the circumstances of his opinion to the Commission regarding the retaping of Mr. Drucker's private tapes by the public, in that Mr. Drucker would not play the tapes were retaping permitted, he directed that the Commission prohibit such retaping -- an opinion which he felt valid at that time and still feels so. Further research is underway, according to Mr. Remelmeyer, as to this matter, along with the general power of a Commission or the Council to regulate the taping of public meetings; a written opinion on his findings will be forthcoming.

It was added by Councilman Surber that this is not a personal issue, but, rather, that the Council directed the Commission to conduct an investigation; it seems somewhat late in the game to him for two of the members to attend a Quest meeting, the prime consideration being that the investigation be conducted. Mr. Surber does not feel that there is anything to retract.

A need for additional time to present arguments against Project Quest at the Commission meetings was brought to Councilman Surber's attention, and he requested that this be done.

Mrs. Lillian Watson spoke at this time, stating that "Project Quest" has been tried at City Council every Tuesday night -- it further has been tried in the newspapers and by certain City Councilmen. It was her impression that the investigation was to be handled by the Youth Welfare Commission, and all the Project Quest material has been furnished them, and, to her knowledge, there has been no refusal to have the tapes played -- the obvious reason that they cannot be retaped is that they are original lectures which could be spliced and reedited; since this is an investigation, there should be some protection.

The subject investigation, Mrs. Watson continued, has turned into something quite different by way of an organized, secretive, personal vendetta launched against Project Quest, particularly Tom Drucker, citing a series of derogatory telephone calls which have resulted.

In conclusion, it was the comment of Mrs. Watson that it is impossible for the Youth Welfare Commission to arrive at a decision without tangible evidence. Further noted by Mrs. Watson was the fact that there will be a meeting at a member of the opposition's home on October 24th, to which some Council members have been invited, with various allusions to "incriminating evidence".

Mr. Harold Smith, Youth Welfare Commissioner, 1005 Cranbrook, clarified that Mr. Drucker's tapes were not taped at the Commission meetings, per instructions by the City Attorney, which were later reiterated to the audience by Assistant to the City Manager Jackson.

Mayor Miller indicated that he has refrained from any comments in this matter, and will continue to do so, until the recommendation has been returned to the Council by the Youth Welfare Commission.

Councilman Sciarrotta reiterated that while he is not necessarily in agreement with some of the statements made in this matter, he certainly will support any individual on this Council who requests any type of investigation, or who introduces any matter of concern to him, for the reason that he would like to have the same courtesy.

ORAL COMMUNICATIONS:

32A. City Attorney Remelmeyer requested permission to go to Washington, D.C. a day or two prior to his attendance at a convention in Boston in order to confer with the cable television section of FCC, with expenses paid, not to exceed \$150.00. Mayor Miller moved to concur with the request; his motion was seconded by Councilman Wilson, and there were no objections.

33. Information Item D - "Torrance Day" at the Los Angeles County Fair--was specifically noted by Director of Recreation Van Bellehem, with the request that those planning to attend notify him so that appropriate arrangements may be made.

34. Councilman Johnson reported on his understanding that people are not properly responding to Fire Unit Code 3 runs -- it was his request that the City Manager, in conjunction with the Fire Chief and Police Chief, study the merits, on Code 3 runs, of having a motor officer come into the run, trailing slightly behind, with perhaps the writing of tickets for violators -- such study to be returned to Council with a recommendation.

35. It was the request of Councilman Sciarrotta that Finance Director Dundore break the City's total budget down into two fields: the expenditures on property-related services, and the expenditures on people-related services.

36. Councilman Sciarrotta then requested that the City Attorney determine whether or not a special letter to members of the Council is necessary as to the Council meeting time inasmuch as this information is contained on the agendas. The City Attorney indicated that he would check this out and advise.

37. It was announced by Councilman Sciarrotta that Councilman Johnson was elected Vice President of the Independent Cities organization, and congratulations were in order.

38. Praise for the Torrance Police Department in connection with the Riles/Rafferty debate at Torrance High School from the Assistant Superintendent of Public Instruction was pointed out by Councilman Surber.

39. Councilman Surber further noted an editorial of praise for Torrance students' efforts in connection with Regina Park.

40. A reminder that Airport Days will be held on October 3rd and 4th, and that it will be an outstanding event, was also made by Councilman Surber.

41. Councilman Uerkwitz invited all of Torrance to the Morongo Indian Reservation (near Banning) on Saturday, September 26th, for the dedication of a medical/dental clinic, totally constructed and staffed by Torrance people.

42. Praise was also directed to the City Manager by Councilman Wilson for recognition at a recent City Manager's International Convention for second place honors received there.

It was also noted by Dr. Wilson that Torrance, in comparison with like cities with considerably larger budgets, has maintained the budget at \$18 million, which certainly speaks well for the administrative staff.

43. Councilman Wilson referred to the pending Civil Service Commission vacancy, convenient times and necessary advertising were reviewed -- it was agreed to establish the interview date at the September 29th Council meeting.

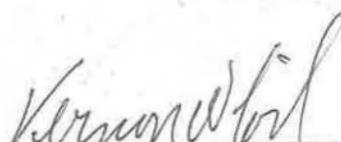
44. Councilman Surber complimented Deputy Attorney Jack Allen for his efforts in bringing about new legislation relative to loitering about schools.

45. The matter of reapportionment was introduced by Mayor Miller -- it is his opinion that dealing with representatives on a State level presents problems, in that Torrance is divided up among too many representatives. The Mayor then requested information regarding this subject from the City Manager.

46. Mr. Stanley Dunn requested that the "Project Quest" item be placed near the end of the agenda, in view of the early meeting and the difficulty of interested parties to arrive at that hour. It was the consensus of the Council that the placement near the end of the agenda would best serve all, and the City Clerk was so instructed for the September 29th meeting.

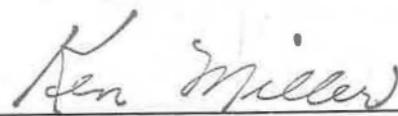
The meeting was regularly adjourned at 10:45 P.M.

* * * *



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

APPROVED BY:



 Mayor of the City of Torrance

Ava Cripe
 Minute Secretary

27.

City Council
 September 22, 1970