

I N D E XCity Council - May 29, 1979

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Adjourned at 12:00 Midnight in
memory of Mrs. Joanne Loney.

May 29, 1979

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, May 29, 1979, at 5:30 P.M. in the Council Chambers at Torrance City Hall.

2. ROLL CALL:

Present: Councilmembers Applegate, Brown, Geissert, Rossberg, Walker, Wilson and Mayor Armstrong. Absent: None.

Also present: City Manager Ferraro, City Attorney Remelmeyer, and City Clerk Nelson. Absent: City Treasurer Rupert.

3. FLAG SALUTE:

Water System Manager Borgwat led in the salute to the flag.

4. INVOCATION:

Reverend Boyd Kifer, Church of the Nazarene, provided the invocation.

STANDARD MOTIONS:

5. APPROVAL OF MINUTES:

Councilman Applegate moved to approve the minutes of April 10, April 17, and April 24, 1979, as recorded. His motion was seconded by Councilman Walker, and roll call vote was unanimously favorable (Abstain: Councilmembers Wilson; Brown, on April 24th minutes in that he was not present at that meeting).

(NOTE: Minutes of April 10, 1979, Page 5, Item 12b. Should state "...for the approval of Ordinance No. 2902 at its first reading (instead of second and final reading).")

6. MOTION TO WAIVE FURTHER READING:

Councilman Applegate moved that after the City Clerk has assigned a number and read title to any resolution or ordinance on tonight's agenda, the further reading thereof be waived, reserving and guaranteeing to each Councilmember the right to demand the reading of any such resolution or ordinance in regular order. The motion was seconded by Councilman Brown, and roll call vote was unanimously favorable.

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7. COUNCIL COMMITTEE MEETINGS:

None.

10. TRANSPORTATION/PUBLIC WORKS MATTERS:10a. MECHANICAL REFUSE COLLECTION SYSTEM.RECOMMENDATION OF FINANCE COMMITTEE:

That your Honorable Body act on the following:

1. Ratify the termination of the Government Innovators contract.
2. Authorize Staff to continue with plans for implementing mechanical refuse collection for City alleys.
3. Authorize Staff to purchase a complete mechanical refuse collection system from Maxon Industries.
4. Direct City Staff to initiate a public relations program for implementation of this new service.

MOTION: Councilman Wilson moved to concur with the above stated recommendations of the Finance Committee. His motion was seconded by Councilman Brown, and roll call vote was unanimously favorable.

- 10b. RESOLUTION authorizing Execution of Supplement No. 1 to Localizer Lease revising parcel descriptions and providing for Limited Agricultural Use within the Restricted Area.

RESOLUTION NO. 79-95

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST SUPPLEMENTAL AGREEMENT NO. 1 TO LEASE NO. DOT-FA72WE-1423 BETWEEN THE CITY OF TORRANCE AND THE UNITED STATES OF AMERICA

Councilwoman Geissert moved for the adoption of Resolution No. 79-95. Her motion was seconded by Councilman Walker, and roll call vote was unanimously favorable.

12. PLANNING AND ZONING MATTERS:

- 12a. ORDINANCE re: ZC 78-28, Torrance Planning Commission.

ORDINANCE NO. 2905

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, AMENDING DIVISION 9 OF THE TORRANCE MUNICIPAL CODE TO RECLASSIFY THAT CERTAIN PROPERTY WHICH IS LOCATED ON THE WEST SIDE OF PASEO DE LA PLAYA BETWEEN CALLE MIRAMAR AND VIA

RIVIERA AND DESCRIBED IN ZONE CHANGE
CASE 78-28 TORRANCE PLANNING COMMISSION

Councilman Brown moved for the approval of Ordinance No. 2905 at its first reading. His motion was seconded by Councilman Applegate, and roll call vote was unanimously favorable.

- 12b. CONTRACT FOR CONSULTING ARCHITECT for Downtown Torrance Design Study.

Held for June 5th Council meeting.

13. ENVIRONMENTAL/BUILDING AND SAFETY MATTERS:

- 13a. RESOLUTION re: Grant Assistance for Pilot Noise Abatement Education Grant Project.

RESOLUTION NO. 79-96

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF TORRANCE AUTHORIZING APPLICATION
TO THE UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY FOR GRANT ASSISTANCE
SUPPORTING THE CONDUCT OF A PILOT NOISE
ABATEMENT EDUCATION PROJECT AT TORRANCE
MUNICIPAL AIRPORT

Councilman Wilson moved for the adoption of Resolution No. 79-96. His motion, seconded by Councilman Rossberg, was unanimously approved by roll call vote.

15. HEARINGS:

(Held for the advertised hour of 6:00 P.M. See Pages 8,9,12.)

17. ADMINISTRATIVE MATTERS:

- 17a. ACCEPTANCE OF FINANCE DIRECTOR'S REPORT AND INDEPENDENT AUDITOR'S OFFICIAL AUDIT OPINION/EXERCISE OF OPTION TO EXTEND AUDIT SERVICES CONTRACT FOR 1978-79.

RECOMMENDATION OF CITY MANAGER:

That your Honorable Body:

1. Acknowledge acceptance of the Finance Director's Financial Report and the Independent Auditor's Official Audit Opinion for the fiscal year ended June 30, 1978.
2. Authorize the exercise of the contract option to retain Coopers and Lybrand, Certified Public Accountants, to perform the 1978-79 City audit for a fee not to exceed \$12,090.

MOTION: Councilman Applegate moved to concur with the above stated recommendation of the City Manager. His motion was seconded by Councilman Rossberg, and roll call vote was unanimously favorable.

- 17b. RESOLUTION re: Assignment of Airport Hangar Lease - Marsh/Mason.

RESOLUTION NO. 79-97

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST A CONSENT TO ASSIGNMENT OF ONE AIRPORT HANGAR LEASE COVERING TWO HANGAR SITES OF ROBERT L. MARSH, JACK R. MARSH AND W.C. MARSH TO ROBERT MASON AND TOM MASON

Councilwoman Geissert moved for the adoption of Resolution No. 79-97. Her motion was seconded by Councilman Walker, and roll call vote was unanimously favorable.

- 17c. RESOLUTION supporting Peripheral Canal Legislation.

RESOLUTION NO. 79-98

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE SUPPORTING PERIPHERAL CANAL LEGISLATION (SB 200 AS AMENDED MAY 7, 1979)

Councilman Wilson moved for the adoption of Resolution No. 79-98. His motion, seconded by Councilman Walker, was unanimously approved by roll call vote.

The following communication, dated May 29, 1979, from Assemblyman Felando was read into the record by Mayor Armstrong:

"Thank you very much for your recent communication enclosing a copy of Resolution 79-43 passed by the City Council urging legislation to assure the early construction of the Peripheral Canal unit of the State Water Project.

"I am highly concerned about the continuing supply of water for Southern California, especially the South Bay area, and share your viewpoint and that of the City Council. Early completion of this project is most essential to avoid a water shortage by 1985, which is the year when this area will lose more than half its Colorado River water due to the completion of the Central Arizona Dam Project.

"Please be assured that I intend to lend my utmost support to the construction of the Peripheral Canal."

It was the request of Councilman Rossberg that copies of the above Resolution be sent to all delegates of the South Bay Cities Association, as well as to all Mayors, requesting adoption by their cities. Mayor Armstrong directed that copies of Assemblyman Felando's letter accompany these transmittals.

- 17d. RESOLUTION re: Assignment of Airport Hangar Lease - Green/Weeks.

RESOLUTION NO. 79-99

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST A CONSENT TO ASSIGNMENT OF AIRPORT HANGAR LEASE OF THOMAS E. GREEN AND ALICE M. GREEN TO ROBERT E. WEEKS AND PATRICIA ANN WEEKS

Councilman Wilson moved for the adoption of Resolution No. 79-99. His motion was seconded by Councilwoman Geissert, and roll call vote was unanimously favorable.

- 17e. SCHEDULING OF WORKSHOPS AND PUBLIC HEARINGS - City Manager's Proposed 1979-80 Budget.

The following schedule was established by the Council:

Budget Workshops:

Thursday, June 7, 1979 - 4:30 P.M.

Friday, June 8, 1979 - 4:30 P.M.

Monday, June 11, 1979 - 4:30 P.M.

Monday, June 18, 1979 - 4:30 P.M.

Additional dates to be scheduled as needed.

Public Hearings:

1st Public Hearing - June 12, 1979 - 7:00 P.M.

2nd Public Hearing - June 19, 1979 - 6:00 P.M.

19. MATTERS NOT OTHERWISE CLASSIFIED:

- 19a. TOWING AND STORAGE CONTRACT.

RECOMMENDATION OF CHIEF OF POLICE:

1. The selection of the vendor be by the City Council based on a written evaluation by a panel of "experts" covering, at minimum:
 - Ability to perform
 - Capabilities
 - All specifications met at time of award
 - Evaluation of work experience in the field of towing and storage.
2. Rates for services be set by the City and that the rates be the same as those set forth by the Los Angeles Police Commission.
3. Only tow companies operating within the City limits be considered.
4. "Exclusive Right" provisions to all City referred calls remain part of the contract.

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MOTION: Councilman Wilson moved to concur with the above stated Staff recommendation. The motion was seconded by Councilman Brown, and roll call vote was unanimously favorable.

20. ROUTINE MATTERS:

- 20a. NOTICE OF COMPLETION - Storm Drain in Prairie Avenue at 188th Street (B78-54)

RECOMMENDATION OF ENGINEERING STAFF:

1. That the work be accepted, and
2. That final payment be made to the contractor, Steinberg Construction Company.

- 20b. ON-THE-JOB TRAINING PROGRAMS.

RECOMMENDATION OF MANPOWER PROGRAMS ADMINISTRATOR:

That Council approve the On-the-Job Training Contract with Capitol Metals Company and authorize the Mayor and City Clerk to execute same on behalf of the City of Torrance

- 20c. APPROVAL OF FINAL TRACT MAP NO. 34003.

Subdivider: G.L. Schuler
 Engineer: Denn Engineers
 No. of Lots: 1

RECOMMENDATION OF CITY ENGINEER/PLANNING DIRECTOR:

That Final Tract Map No. 34003 be approved.

- 20d. APPROVAL OF FINAL TRACT MAP NO. 32001.

Subdivider: National Olympia, Inc.
 Engineer: Denn Engineers
 No. of Lots: 1

RECOMMENDATION OF CITY ENGINEER/PLANNING DIRECTOR:

That Final Tract Map No. 32001 be approved.

- 20e. AWARD OF CONTRACT - Storm Drain in Madrid Avenue and Sonoma Street north of Carson Street and east of Crenshaw Boulevard.

RECOMMENDATION OF ENGINEERING STAFF:

That the contract be awarded to G.R. Frost, Inc., pending approval of that company by HUD, and that all other bids be rejected.

- 20f. APPROVAL OF FINAL TRACT MAP NO. 31436.

Subdivider: Dan E. Butcher
 Location: North side of Artesia, East of Yukon
 No. of Lots: One (24-unit condominium)

RECOMMENDATION OF CITY ENGINEER/PLANNING DIRECTOR:

That Final Tract Map No. 31436 be approved.

- 20g. PURCHASE OF BUDGETED ONE-MAN SIDE LOAD REFUSE TRUCK.
Expenditure: \$66,250.00, including tax.

RECOMMENDATION OF PURCHASING SUPERVISOR/STREET MAINTENANCE SUPERINTENDENT: That Council approve of the purchase of the Maxon side-load one-man refuse unit based on a "negotiated" price of \$62,500.00, plus tax (or \$66,250.00 total).

MOTION: Councilman Wilson moved to concur with Staff recommendations on agenda items 20a, 20b, 20c, 20d, 20e, 20f and 20g. The motion was seconded by Councilman Applegate, and roll call vote was unanimously favorable.

22. ORAL COMMUNICATIONS:

22a. Councilman Applegate requested appropriate recognition for (1) State Champions, Torrance United Soccer Club, Division 3; and (2) Torrance high school students participating in State C.I.F. Track Finals in Sacramento.

22b. Councilwoman Geissert requested that a Community Planning Committee meeting, along with Planning Commission representatives, be scheduled to resume deliberations re: standards for condominium conversions. Planning Director Shartle will follow through in arranging such a meeting.

22c. Councilwoman Geissert regretfully announced the passing of Mrs. Joanne Loney on May 28th, and requested that this meeting be adjourned in memory of this former Recreation Department employee.

22d. Councilman Rossberg noted honored City employees -- the reelection of Recreation Programs Administrator Barnett to the Educational Council of Torrance; and the appointment of City Treasurer Rupert as Acting State Treasurer.

22e. Councilman Rossberg commended all responsible for the highly successful Armed Forces Day Parade.

22f. Appropriate recognition to Foster & Kleiser for their sizable contribution of radio time in behalf of the Armed Forces Day Parade was requested by Councilman Walker.

22g. Councilman Wilson reported on his recent trip to Egypt and the significant differences in their surroundings as compared to the United States.

22h. Mayor Armstrong requested Council approval to waive the clean-up fee bond for the forthcoming West High Carnival. There were no objections, and it was so ordered.

The Council now returned to:

15. HEARINGS:

15a. GREAT LAKES CARBON CORPORATION AND GREAT LAKES PROPERTIES, INC.

See Page 9.

15b. JOINT PUBLIC HEARING - Skypark Redevelopment Project.

See Page 12.

15c. RESOLUTION rescheduling Public Hearing for proposed vacation of Apple Avenue between Washington Avenue and the Atchison, Topeka and Santa Fe Right-of-Way.

RESOLUTION NO. 79-100

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE POSTPONING THE HEARING DATE FOR THE VACATION OF APPLE AVENUE BETWEEN WASHINGTON AVENUE AND THE ATCHISON, TOPEKA AND SANTA FE RIGHT-OF-WAY AS FIXED IN RESOLUTION NO. 79-84, THE RESOLUTION OF INTENTION FOR AFORESAID VACATION

Councilwoman Geissert moved for the adoption of Resolution No. 79-100. Her motion, seconded by Councilman Walker, was unanimously approved by roll call vote.

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- 15a. ZC 79-4, ZC 79-5, ZC 79-6 and appeal of PP 79-6, CUP 79-12, CUP 79-13, PP 79-7, D 79-8, CUP 79-14 and PP 79-8 (EA 77-15), GREAT LAKES CARBON CORPORATION AND GREAT LAKES PROPERTIES, INC.
Request for approval of a change of oil use zone from O-2 to O-1 and appeal of Planning Commission action on associated cases for development to allow secondary oil recovery (waterflooding) as proposed in one of four possible alternative development plans. PLANNING COMMISSION AND PLANNING DEPARTMENT RECOMMEND APPROVAL OF ALTERNATIVE #3.

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

Mayor Armstrong announced that this was the time and place for the subject public hearing, and invited, first, the presentation by the proponent.

Representing Great Lakes Carbon and Great Lakes Properties, Mr. Peter Lacombe made a formal presentation, accompanied by slides, in behalf of the subject request. Mr. Lacombe's presentation encompassed Alternative #3, Site C. Councilwoman Geissert indicated keen interest in input regarding the other sites, particularly #4. Such input was briefly provided by Mr. Lacombe, along with overall clarification desired by the Council.

Responding to discussion relative to possible seismic difficulties, Dr. Charles Richter, Linvall, Richter Associates, consultants, noted their report in this matter (available to interested parties) which indicated, in part, the potential for damaging earthquakes related to waterflood operations is extremely remote.

At this point in the meeting, City Attorney Remelmeyer requested that Condition #48 of Planning Commission Resolution No. 79-46 be amended to reflect that insurance in the amount of \$5 million dollars be set by the Council to include damage from subsidence and rebound, and that the City, its agents, officers and employees be named as additional insured; the form of the insurance condition otherwise be determined by the City Attorney. There were no objections, and it was so ordered.

Comments from the audience were invited by Mayor Armstrong.

Mr. Ed Greene, Madrona Homeowners Association: Voiced opposition to the project and expressed concerns pertaining to: safety; absence of provision for monitoring well; extended drilling period; anything other than electrically-powered and soundproofed drilling rigs; any reduction in noise level requirements; "annulus" pressure measurements (clarification provided by Mr. Richard Russell); needed reevaluation of mitigation measures; economic considerations; etc.

Mr. Greene's recent communication pertaining to an abandoned well with a wooden cork in the Skypark area was noted. It was the request of Mayor Armstrong that this letter be referred to Staff for analysis and response back to the Council.

The next speaker was Mr. Thomas E. Hammack, 3110 Antonio Street, who presented a written report on revisions recommended by him for Planning Commission Conditions No. 48 and an added Condition No. 63 (of record).

Mr. Bernie Hollander, 22959B Nadine Circle: Questioned the alleged benefits of the subject project to the City; stated more time should be spent in the consideration of the project in that there could be a tax levied on the anticipated revenues to the oil company for the benefit of the City; strict liability and all mitigating measures should be adopted now before permission is granted.

Mrs. Dorothy Settledge, 3309 Opal Street: The impact on the residents in this area was reviewed -- concerns regarding property rights, hazards of waterflooding; Planning Commission deliberations; oil supply projections; etc. were discussed by Mrs. Settledge.

Mr. Richard Berman, owner of South Bay Tennis Center, stated his reservations regarding the noise factor, and related his experience with an uncapped oil well. At the request of Councilwoman Geissert, Oil Consultant Babson provided an extensive report on the history and remedial efforts surrounding abandoned wells in the subject area. Mr. Babson likewise reaffirmed that a monitoring well is not necessary in the Great Lakes area; the risk is quite small. Further clarification was forthcoming from City Attorney Remelmeyer, Building and Safety Director McKinnon, Water System Manager Borgwat and Mr. D.R. Wilkinson, State Division of Oil and Gas.

The last speaker was Mr. Emil Settledge, 3309 Opal Street, who recommended that, in the event the proposal is accepted, that the City stipulate that Great Lakes Corporation pay any and all property owners for any and all damages to their properties, without the necessity of litigation.

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

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The hour being 9:00 P.M., a 10-minute recess was ordered by Mayor Armstrong.

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On resumption of the meeting, the first order of business was affirmation by each Councilmember that he or she had received and reviewed the Environmental Impact Report in this matter.

Council discussion was invited by Mayor Armstrong. Consideration was directed to: possibilities of hazardous conditions surrounding uncapped wells and the need for restitution to property owners, in such event, a responsibility that has been assumed by Great Lakes; the pros and cons of Alternative #4; an "easy monitoring" arrangement; noise standards; liability potential; contractual indemnification by Great Lakes; absentee and/or change in ownership possibilities; provisions for a "review period"; etc.

Ultimate action taken by the Council is reflected below:

MOTION: Councilman Wilson moved to approve Alternative No. 3, subject to conditions No. 1 through 62, with the following modifications:

Add Condition No. 63: That all mitigating measures be listed and spelled out in understandable language by Staff.

Add Condition No. 64: That there be indemnification by way of an iron-clad contract imposed upon the developer, with a 5-year review period. At any time the property were sold, it would again come before the City for review.

Add Condition No. 65: That the Conditional Use Permit would be declared invalid if any of the conditions are declared invalid.

Condition No. 8, revised to state: "...there shall be no cementing operations between the hours of 7:00 P.M. and 8:00 A.M. on Sunday..." (Relative to noise levels, this matter could be brought back to Council on the recommendation of Staff).

Condition No. 23, revised to state: "...and bi-weekly pressure measurements shall be made initially and filed with the City."

Condition No. 48, revised, as follows: Re: insurance - put in cost of living indicator or some process to be increased by the City Attorney as determined necessary to protect the people.

The motion was seconded by Councilman Applegate.

Councilman Brown indicated his concurrence with the overall conditions, but, because of his preference for Alternative No. 4, offered the following SUBSTITUTE MOTION: That Council approve Alternative No. 4, with conditions as above stated. His motion was seconded by Councilwoman Geissert. The substitute motion FAILED TO CARRY, with roll call vote as follows:

AYES: COUNCILMEMBERS: Brown, Geissert.

NOES: COUNCILMEMBERS: Applegate, Rossberg, Walker, Wilson; Mayor Armstrong.

Roll call vote on the MAIN MOTION was unanimously favorable.

* * * * *

Mayor Armstrong ordered a 10-minute recess, the hour being 10:00 P.M. On resumption of the meeting, Councilman Wilson moved to convene in a Joint Council/Agency Hearing re: Skypark Redevelopment Project (COUNCIL ITEM 15b., immediately following.) Seconded by Councilman Applegate and unanimously approved.

15b. JOINT PUBLIC HEARING - Skypark Redevelopment Project.

Chairman Armstrong announced that this was the time and place for the Joint Agency/City Council Public Hearing to review the Skypark Redevelopment Project.

Staff presentations were provided by Planning Director Shartle and Assistant Planning Director Gomez.

Planning Director Shartle advised that Mr. John Sainsevain, representing property owners to the north of the subject property, would withdraw previously expressed objections providing the following occurs: (1) That the street would be an alley, 30 ft. wide, paved by the developer, and not a burden to the properties on the north; (2) That the property owners to the north be given cross-easements to be able to utilize parking to the south; and (3) That the properties to the north be relieved of bonds that they had posted in the past for the improvement of that street. Mr. Shartle further stated that Staff would recommend all three of the above stated conditions.

Formal presentations, including slides and renderings of the F.A.B. Industries project were made by: Robert Collins, general partner; landscape architect Todd Bennett; and architect Neil Palmer.

The project was warmly commended by Agency/Council members, and action taken is reflected below:

It was ascertained that the Environmental Impact Report has been made available to each Agency/Councilmember and has been studied and made a part of his deliberations.

MOTION: Mr. Rossberg moved to concur with Recommendations 1 and 2 of the Deputy Executive Director: Approve the Basic Concept Drawings; Approve the Development Standards as amended by the Planning Commission on May 1, 1979. The motion was seconded by Dr. Wilson, and roll call vote was unanimously favorable.

MOTION: Mr. Applegate moved to adopt resolutions certifying the Environmental Impact Report. The motion was seconded by Mr. Rossberg; roll call vote was unanimously favorable.

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EXECUTIVE SESSIONS:

The Council recessed at 10:45 P.M. for an Executive Session regarding Skypark Acquisition Appraisals, returning at 11:15 P.M. to take the following action:

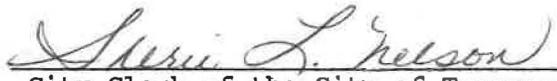
MOTION: Councilman Applegate moved to continue the Joint Public Hearing re: the entire matter of Skypark to June 5, 1979, at 6:00 P.M. The motion was seconded by Councilman Rossberg, and roll call vote was unanimously favorable.

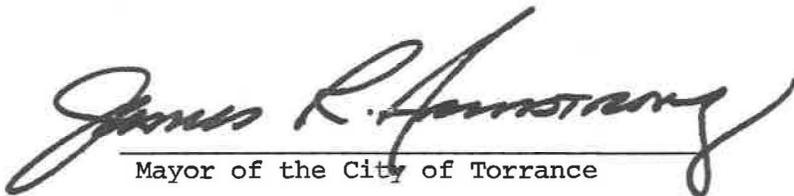
At 11:20 P.M., the Council again recessed for another Executive Session re: hours, wages and working conditions, returning at 11:45 P.M.

Mayor Armstrong appointed an Ad Hoc Committee on Executive Salaries: Councilmembers Applegate (chairman), Brown and Wilson.

The meeting was formally adjourned at 11:46 P.M. - adjournment being in memory of Mrs. Joanne Loney.

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 City Clerk of the City of Torrance


 Mayor of the City of Torrance