

I N D E XCity Council - August 28, 1979

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Adjourned at 10:01 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, August 28, 1979, at 7:00 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 Deputy City Clerk Babb. Absent: City Clerk Nelson, City Treasurer Rupert.

3. FLAG SALUTE:

Civil Service Administrator Ghio led in the salute to the flag.

4. INVOCATION:

Reverend Bill Norton, South Bay Baptist Church, gave the invocation.

STANDARD MOTIONS:

5. APPROVAL OF MINUTES:

Councilman Brown moved to approve the minutes of July 24, 1979, as recorded. His motion was seconded by Councilman Applegate, and roll call vote was unanimously favorable.

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 Rossberg, and roll call vote was unanimously favorable.

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7. COUNCIL COMMITTEE MEETINGS:

None.

8. COMMUNITY MATTERS:8a. COMMENDATION - JACL Queen.

A plaque of commendation was presented, with congratulations, to JACL Queen, Janice Reiko Sakamoto, by Mayor Armstrong.

8b. PRESENTATION - Salty Dogs Team.

The achievements of the Salty Dogs 1979 Team as the champions of the West Coast 16" Slo-Pitch League were acknowledged by way of letter of appreciation presented each team member by Councilman Wilson and Mayor Armstrong.

8c. PROCLAMATION - Union Label Week - September 3-9, 1979.

So proclaimed by Mayor Armstrong.

9. LIBRARY/PARK AND RECREATION MATTERS:9a. RESOLUTION re: License Agreement, Post Substation Site.RESOLUTION NO. 79-166

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF TORRANCE AUTHORIZING AND DIRECTING
THE MAYOR AND CITY CLERK TO EXECUTE AND
ATTEST THAT CERTAIN AGREEMENT BETWEEN THE
CITY AND SOUTHERN CALIFORNIA EDISON COMPANY
FOR THE USE OF THE POST SUBSTATION SITE FOR
RECREATION PURPOSES
(235th and Elm Streets)

Councilman Brown moved for the adoption of Resolution No. 79-166. His motion was seconded by Councilman Rossberg; roll call vote was unanimously favorable.

9b. RESOLUTION re: Land and Water Conservation Funds for Charles H. Wilson Park Development Phase 3 - 1979-80.RESOLUTION NO. 79-167

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF TORRANCE APPROVING THE APPLICA-
TION FOR LAND AND WATER CONSERVATION FUNDS
FOR CHARLES H. WILSON PARK DEVELOPMENT
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Councilman Wilson moved for the adoption of Resolution No. 79-167. His motion was seconded by Councilman Walker, and roll call vote was unanimously favorable.

- 9c. RESOLUTION re: Waiver of Surcharge for Nonresident Senior Citizens.

RESOLUTION NO. 79-168

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE PRESCRIBING THE PROCEDURE OF ESTABLISHING FEES TO BE CHARGED FOR PARK AND RECREATION CLASSES, EVENTS AND ACTIVITIES, AND REPEALING RESOLUTION 78-111

Councilman Walker moved for the adoption of Resolution No. 79-168. His motion was seconded by Councilman Brown, and roll call vote was unanimously favorable.

10. TRANSPORTATION/PUBLIC WORKS MATTERS:

- 10a. NOTICE OF COMPLETION - Storm Drain in alley west of Cota Avenue and south of Dominguez Street. (B79-4)

RECOMMENDATION OF ENGINEERING DEPARTMENT:

That the work be accepted and final payment be made to the contractor, Summit Underground, Inc.

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

12. PLANNING AND ZONING MATTERS:

- 12a. REQUEST TO WAIVE FEES on required Waiver application - front yard wall construction at 2313 Sepulveda Way.

RECOMMENDATION OF PLANNING DEPARTMENT:

The Planning Department cannot recommend that fees be waived in this case, and we are concerned that approval of this request could set a precedent for future applications of this type.

It was stated by Planning Director Shartle that having viewed the premises this date, it is his opinion that a Waiver should not be required in this case -- the wall that is being requested by the applicant is needed for sound attenuation, such wall should have been constructed at the time the tract was built, per Mr. Shartle. He added that it is really a continuation of the sound attenuation wall along Sepulveda

Boulevard; it is the recommendation of Planning Director Shartle and Building and Safety Director McKinnon that the subject wall be permitted to be built without the Waiver.

MOTION: Councilman Wilson moved to concur with the recommendation of the Planning Director and the Building and Safety Director that a Waiver not be required. The motion was seconded by Councilman Walker, and roll call vote was unanimously favorable.

13. ENVIRONMENTAL/BUILDING AND SAFETY MATTERS:

13a. NOISE ABATEMENT REPORT.

Formal presentations of the quarterly report re: Airport Noise Control and Land Use Compatibility were provided by Airport Programs Specialist Nay, Environmental Quality Officer Weddell and Consultant John Parnell from R. Dixon Speas Associates, Inc.

The Council conveyed its appreciation for this informative input.

16. APPEALS.

16a. HEARING ON APPEAL OF ADMINISTRATIVE HEARING BOARD decision that Century News Company fails to comply with Newsrack Ordinance.

Mayor Armstrong announced that this was the time and place for the subject hearing, and, following presentation by Assistant to the City Manager Payne, invited response by the appellant. He was not present (his arrival occurs later in the discussion of this item - see below.*)

Following discussion, Councilman Rossberg MOVED for DENIAL of the appeal. The motion was seconded by Councilman Wilson.

*The appellant, Mr. Michael Eskildsen, Century News Company, arrived at this point in the meeting and requested a continuance of the matter for the reason that he is presently without counsel and in the process of interviewing for a replacement.

Following discussion, the Council agreed to grant the request, and Councilman Brown offered a SUBSTITUTE MOTION: That Item 16a. be continued to September 11th at 7:30 P.M. The motion was seconded by Councilman Rossberg, and roll call vote was unanimously favorable.

17. ADMINISTRATIVE MATTERS:

17a. GIFT OF PROPERTY ON VISTA LARGO TO ALLOW REPAIR OF HILLSIDE.

RECOMMENDATION OF LAND MANAGEMENT TEAM:

That your Honorable Body accept the gift of land, upon receipt of the deed, as being the best alternative available to the City that will allow the proper repair of the hillside.

MOTION: Councilman Wilson moved to concur with the above stated recommendation of the Land Management Team. His motion was seconded by Councilman Applegate; roll call vote was unanimously favorable.

17b. RESOLUTION re: Agreement with Daily Breeze for Legal Advertising.

RESOLUTION NO. 79-169

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST THAT CERTAIN AGREEMENT FOR ADVERTISING BETWEEN THE CITY OF TORRANCE AND THE DAILY BREEZE FOR THE FISCAL YEAR 1979-80

Councilman Wilson moved for the adoption of Resolution No. 79-169. His motion, seconded by Councilwoman Geissert, was unanimously approved by roll call vote.

17c. ASSIGNMENT OF AIRPORT HANGAR LEASES from Jim D. Cockayne to Roy L. Stinnett and to Color Tone Decal Company (2755 J, 2755 K - Airport Drive).

RECOMMENDATION OF LAND MANAGEMENT TEAM:

Approval of the subject resolution consenting to the partial assignment of hangar lease from Jim D. Cockayne to Roy L. Stinnett and to Color Tone Decal Company, subject to the following conditions:

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1. Acceptance of the lease as amended;
2. Registration of all lessee owned or controlled aircraft based at the Airport prior to execution of the lease; and
3. Payment of \$208.75 for preparation of necessary lease documents.

CITY MANAGER'S NOTE:

Of record is the analysis of the City Attorney regarding whether or not the City can properly require in its hangar leases a ban on the storage of jet aircraft. Based upon the City Attorney's conclusion that the portion of the lease prohibiting jet aircraft operations should be excluded from the lease assignment, the City Manager RECOMMENDS that this provision be deleted from the lease. This exclusion should in no way diminish the effectiveness of the current Council policy prohibiting the sale of jet fuel on the Airport.

RECOMMENDATION OF DEPARTMENT OF TRANSPORTATION:

The Department of Transportation has no objections to the two assignments, as stated in our memo of April 6, 1979, to the Land Management Team.

RECOMMENDATION OF AIRPORT COMMISSION:

The Airport Commission concurs with the recommendation of the Land Management Team and the Department of Transportation, except they recommend deletion of paragraph 7 on page 3, entitled "Jet Aircraft Prohibited," in the partial assignment of the hangar lease for Hangar Sites No. 5 and 6 of Parcel B-2.

Staff presentation was provided by Assistant to the City Manager Payne.

(Councilman Brown announced that he would ABSTAIN in this matter for the reason that one of the parties involved in this matter is a client of his law firm.)

Council discussion ensued. Councilman Applegate indicated his reluctance to give up the provision pertaining to the portion of the lease prohibiting jet aircraft operations, and, accordingly, MOVED that this clause be left in. The motion was seconded by Councilman Walker.

Prior to roll call vote on the motion, Mayor Armstrong invited comments from the audience.

Speakers were:

Mr. Raymond Bisselli, president, Southwood Rivera Homeowners Association: The proviso, as recommended, is in complete accord with the policy set up by the Council in the noise ordinance, and it would be prudent that this proviso stay in the lease.

Mrs. Peggy Hollander, 2295B Nadine Circle: To remove the subject provision would be opening the door for jet aircraft.

Mr. John DeGroot, 22859B Nadine Circle: Reviewed the recent Santa Monica decision, and requested that the Council instruct the Airport staff and the City Attorney to start prosecuting under the noise ordinance. Further, in view of the likely appeal of the Santa Monica decision, the Council should withhold the granting of the jet permit for this lease assignment at this time. (Staff members pointed out the active program now in effect re: ordinance violations.)

Mr. Jim Dyer, president, Rivera Homeowners Association: Expressed concurrence with Councilman Applegate's motion to retain the subject clause in the lease.

Mr. Michael Bedinger, 4011 West 232nd Street: The provision should be retained.

Mrs. Alice Maquire, 5302 Via del Valle: Urged that the subject clause be maintained in the leases.

There was further discussion by the Council. City Attorney Remelmeyer reaffirmed his recommendation that the portion of the lease prohibiting jet aircraft operations should be excluded from the lease.

Councilman Applegate's motion "that this clause be left in" carried, with roll call vote as follows:

AYES:	COUNCILMEMBERS:	Applegate, Geissert, Walker, Wilson.
NOES:	COUNCILMEMBERS:	Rossberg (should abide by legal advice; no jets have been based on Airport with present laws) Mayor Armstrong (concurs with find- ings of City Attorney)
ABSTAIN:	COUNCILMEMBERS:	Brown (for reason stated).

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At the request of Mayor Armstrong, Deputy City Clerk Babb assigned a number and read title to:

RESOLUTION NO. 79-170

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING THE EXECUTION OF THAT CERTAIN AMENDMENT TO AIRPORT HANGAR LEASE DATED JUNE 29, 1973 BETWEEN THE CITY OF TORRANCE AND JIM D. COCKAYNE TO ALLOW FOR PARTIAL ASSIGNMENT; AND PARTIAL ASSIGNMENT OF HANGAR LEASE (HANGAR SITE NO. 6 - PARCEL B-2) FROM JIM D. COCKAYNE TO ROY A. STINNETT DBA STINNETT OIL COMPANY AND PARTIAL ASSIGNMENT OF HANGAR LEASE (HANGAR SITE NO. 5 - PARCEL B-2) FROM JIM D. COCKAYNE TO THE COLORTONE DECAL COMPANY

Councilman Applegate moved for the adoption of Resolution No. 79-170 (for the lease as presented which includes the jet prohibition). The motion was seconded by Councilman Walker, and carried, with roll call vote as follows:

AYES: COUNCILMEMBERS: Applegate, Geissert, Rossberg, Walker, Wilson; Mayor Armstrong.
 NOES: COUNCILMEMBERS: None.
 ABSTAIN: COUNCILMEMBERS: Brown (for stated reason)

(It was indicated by Councilman Rossberg and Mayor Armstrong that while they were opposed to the discussed clause, they would not vote against the assignment of the lease.)

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The hour being 8:55 P.M., a 10-minute recess was ordered by Mayor Armstrong.

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17d. EMPLOYMENT OF FINANCIAL CONSULTANT FOR THE POLICE BUILDING PROJECT.

RECOMMENDATION OF FINANCE DIRECTOR:

It is recommended that the firm of Paine, Webber, Jackson & Curtis, Inc. be appointed financial consultant for the proposed Police Building lease-back bond issue, and that the City Attorney be directed to prepare the required contract for Council approval.

CITY MANAGER'S NOTE:

The financing of the consultant's fees will be through the use of Joint Powers Authority bond proceeds. It should also be noted that the estimated 5-million dollar bond requirement is based on current available City funding and current construction cost estimates for the project.

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

Councilman Rossberg commended Finance Director Dundore for the outstanding material provided in this matter. It was further stated by Mr. Rossberg that the passage of this Staff recommendation does not give Paine, Weber, Jackson & Curtis, Inc. the exclusive for the underwriting; if \$300,000 can be saved by the City with an additional 1/4 point interest, with the assistance of the consultant's expertise, then the regular bidding process for underwriting should be followed.

17e. RESOLUTION re: H.R. 3942 (ADDENDA ITEM)

RESOLUTION NO. 79-171

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE OPPOSING H.R. 3942 WHICH WOULD WAIVE COMPLIANCE WITH FEDERAL AVIATION ADMINISTRATION (FAA) AIRCRAFT NOISE REDUCTION REGULATIONS

Councilman Wilson moved for the adoption of Resolution No. 79-171. His motion was seconded by Councilman Walker, and roll call vote was unanimously favorable.

20. ROUTINE MATTERS:

20a. PURCHASE OF BUDGETED REPLACEMENT ELECTRIC TYPEWRITERS.
Expenditure: \$10,107.63

RECOMMENDATION OF PURCHASING SUPERVISOR:

That Council authorize the purchase of 13 budgeted replacement IBM typewriters from IBM in the total amount of \$10,107.63, including tax.

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

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The hour being 9:12 P.M., the Council recessed and reconvened as the Redevelopment Agency, returning to its agenda at 9:25 P.M.

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22. ORAL COMMUNICATIONS:

22a. City Manager Ferraro introduced and commended supervisory personnel in attendance at this meeting, representing their department heads: Don Tandy, Sanitation Supervisor; John Hoffman, Park Services Administrator; and Sr. C.E. Associate Gene Bourbonnais.

22b. Councilman Applegate praised Councilman Rossberg and all others responsible for the recent Energy Fair. It was the recommendation of Mr. Applegate that additional duties be assigned the Water Commission which would encompass utility conservation. Staff was directed to review this possibility.

22c. Compliments to Airport Programs Specialist Nay and all others involved in the outstanding presentation re: the Noise Abatement Program this date (Item No. 13) were conveyed by Councilman Applegate.

22d. Councilman Applegate reviewed recent publicity pertaining to EPA halting of industrial building in California, due to the Air Quality Management Plan (a plan strongly opposed by him as over-control by government). In response, Building and Safety Director McKinnon advised that most applications of any significance have been made and there should be little impact in Torrance (a memorandum is forthcoming to the Council).

Mayor Armstrong directed that the process be monitored in order that appropriate action might be taken by the Council.

22e. Councilwoman Geissert elaborated on her memo to the Council this date regarding the apparent rash of applications to the State Division of Real Estate for "Stock Cooperative Conversions" of apartment complexes in the City of Torrance.

The imperative need for appropriate legislation to control this activity was outlined by Mrs. Geissert, with note of the long standing Committee deliberations regarding standards for condominium construction, conversion and methods of local control over conversion to stock cooperatives. An Emergency Ordinance has been prepared, per Mrs. Geissert, and Council concurrence was urged.

Discussion ensued; there was further clarification by City Attorney Remelmeyer; and, at the request of Mayor Armstrong, Deputy City Clerk Babb assigned a number and read title to:

ORDINANCE NO. 2921

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF TORRANCE ADDING SECTION 95.3.36
TO THE TORRANCE MUNICIPAL CODE REQUIRING
A CONDITIONAL USE PERMIT FOR CREATION OF
STOCK COOPERATIVES AND DECLARING THE
PRESENCE OF AN EMERGENCY

Councilwoman Geissert moved for the adoption of Emergency Ordinance No. 2921 at its first and only reading. Her motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

It was the recommendation of Councilman Brown, concurred in by the Council, that an ordinance be prepared which would provide for notification by the Department of Real Estate re: Stock Cooperative Conversions in the City of Torrance. A report regarding like activities in other cities was requested by Councilman Brown.

Further noted by Councilman Brown was the need to closely observe the pace of these types of sales -- if rent control proposals are resisted, then it will be necessary to take measures to assure the continued supply of rental housing stock.

It was the request of Councilman Applegate that the City Attorney's office notify the State Division of Real Estate of the City's intent to present to them an ordinance which would require notification in these matters. Mr. Remelmeyer advised that such notification will go forward Wednesday a.m.

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22f. Councilman Rossberg joined in the commendation of Airport Programs Specialist Nay, with note of the praise for him from the San Diego Department of Transportation -- a pat on the back for the Torrance Municipal Airport.

22g. Councilman Rossberg commented on the current RTD strike, noting that "it's nice to have our Torrance buses running".

22h. Councilman Rossberg reviewed the highlights of the recent Energy Fair, and expressed his appreciation to all who contributed to this successful event.

22i. Further praise for the Energy Fair was conveyed by Councilman Wilson. It was the recommendation of Dr. Wilson that, rather than extending the duties of the Water Commission, perhaps there should be an Energy Commission, and Staff and Ad Hoc Committee review was requested.

Councilman Applegate reaffirmed his opinion that the matter of energy could best be handled by the Water Commission.

22j. Commendations were made by Mayor Armstrong for the Energy Fair contributions by Councilman Rossberg and members of the Council, and for Councilwoman Geissert's "bird-dogging" of the Stock Cooperatives, just considered -- "the public purpose has been well served".

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At 9:55 P.M. the Council recessed for an Executive Session, returning at 10:00 P.M. to take the following action:

MOTION: Councilman Applegate moved to concur with the recommendation of the City Attorney in the matter of Drainage, Water and Sewer Fee Reimbursement, as follows:

- a. Authorize and direct the City Attorney to prepare agreements between the City and Garrett, Fasman, Standard Brands and the School District for settlement of those claims according to the terms specified in memorandum of August 24, 1979, of record;
- b. Authorize and direct the Mayor to execute and the City Clerk to attest said agreements for and on behalf of the City;
- c. Authorize and direct the Finance Director, upon authorization by the City Attorney, to pay these claims in the total amount of \$10,142.23;
- d. Authorize and direct the Finance Director to establish a contingent reserve for possible payment upon authorization of the City Attorney of the other claims in a total sum of \$7,571.67; and
- e. Approve the appropriations for these payments from:

Drainage Improvement Fund	\$7,479.15
Water Revenue Fund	1,255.65
Sewer Revolving Fund	<u>8,979.10</u>
Total	\$17,713.90.

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

The meeting was regularly adjourned at 10:01 P.M.

* * * * *

Ava Cripe
Minute Secretary

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Mayor of the City of Torrance


Sherie L. Nelson, Clerk of the
City of Torrance, California