

I N D E XTorrance City Council - November 12, 1985

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Adjournment at 10:25 p.m.

# # # # #

Peggy Laverty  
Minute Secretary

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Prepared by Office of City Clerk  
DONNA M. BABB, CITY CLERK

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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, November 12, 1985, at 7:00 p.m., in the Council Chambers at Torrance City Hall.

2. ROLL CALL:

Present: Councilmembers Applegate, Geissert, Mock, Nakano, Walker, Wirth and Mayor Armstrong.

Absent: None.

Also present: City Manager Jackson, City Attorney Remelmeyer, Staff representatives.

3. FLAG SALUTE AND INVOCATION:

Boy Scout Troop #310, James Gordon Scoutmaster, led in the salute to the flag.

The invocation for the meeting was provided by Reverend Yung Kim, Hope United Methodist Church.

STANDARD MOTIONS:

4. APPROVAL OF MINUTES:

MOTION: Councilman Applegate moved for adoption of the City Council minutes of October 29, 1985, as recorded. His motion was seconded by Councilwoman Geissert, and roll call vote was unanimously favorable.

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5. 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. His motion was seconded by Councilwoman Geissert, and carried unanimously by roll call vote.

6. WITHDRAWN OR DEFERRED ITEMS:

15c. Appeal of Richard Roman - request for continuation to November 26, 1985 (see Page 9).

15d. CUP 85-15, Cal Target Enterprises, Inc. - request for continuance to November 26, 1985 (see Page 9).

7. COUNCIL COMMITTEE MEETINGS:

Finance Committee  
Thursday, November 14, 1985, 4:30 p.m.  
Subject: First Quarter Budget Review.

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As a point of special privilege, Councilman Applegate introduced Mr. David Cason, the new Executive Director of the Torrance South Bay YMCA. A warm welcome was extended to Mr. Cason on behalf of the community.

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8. COMMUNITY MATTERS:

8a. PROCLAMATION Proclaiming November 17, 1985 as "Arthritis Awareness Day."

8b. PROCLAMATION Proclaiming November 15, 16 and 17, 1985 as Children's Expo Weekend."

8c. PROCLAMATION Proclaiming the Week of November 17 Through 24, 1985 as "1736 Projects Week."

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- 8d. PROCLAMATION Proclaiming the Month of November, 1985 as "Veterans Unity Month."

Agenda Items 8a, 8b, 8c and 8d were SO PROCLAIMED by Mayor Armstrong.

9. LIBRARY/PARKS AND RECREATION MATTERS:

- 9a. NON-PROFIT AGENCY GRANTS:

RECOMMENDATION OF HUMAN RESOURCES COMMISSION:

The Human Resources Commission recommends the awards of the 1985 grants to: South Bay Senior Services - \$3,572.00, Pregnancy Counseling Center - \$3,992.50, South Bay Youth Services - \$3,992.50, Volunteer Bureau - \$1,000.00, YWCA - \$931.00, Switzer Center - \$1,512.00.

Councilman Walker requested that Agenda Item 9a be held for two weeks for further review of the information available. Councilman Walker SO MOVED. His motion was seconded by Councilwoman Geissert, and there being no objection, it was so ordered.

10. TRANSPORTATION/PUBLIC WORKS MATTERS:

- 10a. ENCROACHMENT AGREEMENT AT 20200 VAN NESS AVENUE:

At the request of Mayor Armstrong, City Clerk Babb read title to --

RESOLUTION NO. 85-313

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING THE EXECUTION OF THAT CERTAIN ENCROACHMENT AGREEMENT DATED NOVEMBER 12, 1985, BETWEEN THE CITY OF TORRANCE AND GWF POWER SYSTEMS COMPANY, PERMITTING THE ENCROACHMENT UPON THE PUBLIC RIGHT OF WAY OF VAN NESS AVENUE FOR A RETAINING WALL

MOTION: Councilwoman Geissert moved for the adoption of Resolution No. 85-313. Her motion, seconded by Councilman Nakano, carried unanimously by roll call vote.

\* \* \*

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12. PLANNING AND ZONING MATTERS:

Considered together --

12a. CLOSE-OUT OF COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM:

15a. COMMUNITY DEVELOPMENT BLOCK GRANT 1985 GRANTEE PERFORMANCE REPORT:

Re: 12a.

At Mayor Armstrong's request, City Clerk Babb read title to the following --

RESOLUTION NO. 85-314

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING CLOSE-OUT OF THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM UNDER THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS AMENDED

MOTION: Councilman Applegate moved for the adoption of Resolution No. 85-314. His motion, seconded by Councilwoman Geissert, was unanimously approved by roll call vote.

Re: 15a.

Mayor Armstrong announced the subject Public Hearing; proof of publication was provided and ordered filed without objection.

Audience comments were then invited. There being no response, Councilwoman Geissert moved to close the hearing. Her motion, seconded by Councilman Applegate, carried unanimously by roll call vote.

MOTION: Councilman Applegate moved to concur with the City Manager's recommendation on Agenda Item 15a, that the City Council adopt the 1985 Grantee Performance Report (GPR), and direct staff to submit the same to HUD.

This motion was seconded by Councilman Nakano, and roll call vote was unanimously favorable.

12b. EMERGENCY ORDINANCES - 45-Day Moratorium on Permits for Package Sale Alcoholic Beverage Retail Facilities:

RECOMMENDATION OF CITY ATTORNEY:

It is recommended that your Honorable Council adopt either Ordinance "A" by itself, or adopt Ordinances "B" and "C" together.

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Councilman Applegate indicated his preference for Ordinance "B" which would impose controls represented by the Conditional Use Permit process.

MOTION: Councilman Applegate moved for the acceptance of Ordinance "B". The motion DIED FOR LACK OF A SECOND -- (Note: Ordinance "B" was later accepted - see below).

At Councilman Wirth's request, City Attorney Remelmeyer clarified staff's position and expanded on the written material comparing the impact of the three ordinances presented. Additional input was provided by Police Lt. Dane, who recommended Ordinance "C" which would impose a 45-day moratorium to allow a study of the total picture of off-sale liquor establishments.

MOTION: Councilman Wirth moved for adoption of Ordinances "B" and "C". His motion was seconded by Councilwoman Geissert and carried by unanimous roll call vote.

At the request of Mayor Armstrong, City Clerk Babb read title to the following EMERGENCY ordinances:

Ordinance "C"

ORDINANCE NO. 3155

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE IMPOSING A MORATORIUM ON THE ISSUANCE OF PERMITS FOR PACKAGE LIQUOR SALE ESTABLISHMENTS AND DECLARING THE PRESENCE OF AN EMERGENCY

MOTION: Councilman Applegate moved for the adoption of Emergency Ordinance No. 3155, at its first and only reading. His motion was seconded by Councilwoman Geissert, and roll call vote was unanimously favorable.

Ordinance "B"

ORDINANCE NO. 3156

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE REQUIRING THE ISSUANCE OF A CONDITIONAL USE PERMIT FOR THE PACKAGE SALE OF ALCOHOLIC BEVERAGES FOR THE TERM OF A MORATORIUM ESTABLISHED BY ORDINANCE NO. 3155, AND DECLARING THE PRESENCE OF AN EMERGENCY

MOTION: Councilwoman Geissert moved for the adoption of Emergency Ordinance No. 3156, at its first and only reading. Her motion, seconded by Councilman Applegate, carried unanimously by roll call vote.

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Taken out of order at this time --

15d. CUP 85-15, CAL TARGET ENTERPRISES, INC:

MOTION: Councilman Wirth moved to continue Agenda Item 15d for 45 days. His motion was seconded by Councilman Walker, and roll call vote was unanimously favorable.

(NOTE: See action Page 5, imposing a 45-day moratorium regarding off-sale liquor establishments).

Planning Director Ferren announced that this item will be readvertised prior to being heard by the Council.

The Council now returned to --

13. ENVIRONMENTAL/BUILDING AND SAFETY MATTERS:

13a. S84-39 LEO'S STEREO:

Councilman Wirth announced that he would abstain in consideration of this matter as a member of his family is employed by Leo's Stereo. Mr. Wirth then departed from the Chambers.

Staff presentation was provided by Environmental Quality Administrator McElroy regarding this appeal of sign case S84-39 by Leo's Stereo located on the northeast corner of Del Amo and Hawthorne Boulevards. Ms. McElroy noted that staff and the Environmental Quality Commission recommend denial of the appeal.

Mr. Brad Jones, 4475 Pacific Coast Highway, was present to represent Leo's Stereo, and presented photographs of existing exposed neon signs in the City of Torrance, as well as a display of the actual type of sign requested. Mr. Jones clarified that they are appealing the direction that the neon tubing not be exposed, and stated that they are willing to sign a guarantee that the sign will be maintained.

Responding to a question posed by Councilman Applegate, Environmental Quality Administrator McElroy noted that the photographs presented by the applicant depict existing signage with translucent faces, not clear faces as is requested in the subject case. According to Ms. McElroy, staff and the Commission are concerned with brightness and glare.

Noting past use of exposed neon tubing in the area of traffic signals and the present trend to such lighting even in enclosed malls, Councilman Walker offered the following --

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MOTION: Councilman Walker moved to grant the appeal on Agenda Item 13a, and allow the sign. His motion was seconded by Councilman Mock, and carried by way of the following roll call vote:

AYES: COUNCILMEMBERS: Applegate, Mock, Walker and Mayor Armstrong.

NOES: COUNCILMEMBERS: Geissert and Nakano.

ABSTAIN: COUNCILMEMBERS: Wirth.

Councilman Wirth returned to the Council Chambers at this time.

14. PERSONNEL MATTERS:

14a. COMPENSATION PROCEDURES FOR SAFETY MANAGEMENT EMPLOYEES:

At Mayor Armstrong's request, City Clerk Babb read title to the following --

RESOLUTION NO. 85-315

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE SETTING FORTH CERTAIN CHANGES REGARDING WAGES, HOURS AND WORKING CONDITIONS FOR SAFETY MANAGEMENT EMPLOYEES AND AMENDING RESOLUTION NO. 85-238

MOTION: Councilwoman Geissert moved for the adoption of Resolution No. 85-315. Her motion, seconded by Councilman Nakano, carried unanimously by roll call vote.

14b. SUPPLEMENTAL MOU FOR TCEA:

City Clerk Babb read title to --

RESOLUTION NO. 85-316

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE SETTING FORTH CERTAIN CHANGES REGARDING WAGES, HOURS AND WORKING CONDITIONS FOR EMPLOYEES REPRESENTED BY THE TORRANCE CITY EMPLOYEES' ASSOCIATION AMENDING RESOLUTION NO. 85-262

MOTION: Councilman Nakano moved for the adoption of Resolution No. 85-316. His motion, seconded by Councilwoman Geissert, was unanimously approved by roll call vote.

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15. HEARINGS:15a. COMMUNITY DEVELOPMENT BLOCK GRANT REPORT:

See Page 4.

15b. CUP 82-2 (MOD), MOONLIGHT FAST FOODS (SOCRATES G. NIKOPOULOS):

Mayor Armstrong announced that this was the time and place for Council consideration of an administrative appeal of a modification to a Conditional Use Permit to allow the sale of beer and wine in an existing restaurant in the C-2 zone at 17305 Crenshaw Boulevard. MOONLIGHT FAST FOODS (Socrates G. Nikopoulos, II).

Proof of publication was provided by City Clerk Babb and it was ordered filed, there being no objection.

Planning Commission and Planning Department recommend approval of the request and denial of the appeal.

The proponent, Mr. Socrates Nikopoulos, 701 South Oxford Avenue, #204, Los Angeles, was present -- there were no questions at this time.

There being no one else in the audience who wished to speak, Councilman Walker moved to close the hearing. His motion was seconded by Councilman Applegate and roll call vote was unanimously favorable.

Mayor Armstrong pointed out that this case, involving an existing restaurant, was not affected by the Council's earlier action imposing a 45-day moratorium on offsale packaged liquor (see Pages 4 and 5 of these minutes). The Mayor further called attention to the controls exercised by the State Alcoholic Beverage Control Board in precluding such sale through a drive-through window.

MOTION: Councilman Walker moved to concur with the recommendation of the Planning Commission and Planning Department to approve CUP 82-2 (Mod) and deny the appeal. His motion was seconded by Councilman Applegate.

Concerns were expressed by Councilman Wirth regarding potential problems involving the gathering of people in a parking lot with the addition of alcoholic beverage sales. Councilwoman Geissert likewise voiced opposition to the motion because, in her opinion, the sale of beer and wine would be inappropriate and inconsistent with the subject operation.

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In response to Councilman Applegate's query regarding the possibility of adding a condition prohibiting the sale of beer and wine from the drive-through window, City Attorney Remelmeyer suggested, instead, that the Council continue the matter to allow staff to review the overall picture.

In order to allow the proponent to address the Council at this time, Councilman Wirth moved to reopen the hearing. His motion, seconded by Councilman Walker, carried without objection.

Mr. Nikopoulos advised that it is not his intention to sell beer and wine from the drive-through window -- his operation is basically a coffee shop and he would be willing to accept a condition so stipulating.

The hearing was then reclosed upon a motion by Councilman Applegate; seconded by Councilman Wirth, and carried without objection.

Councilman Applegate offered an AMENDMENT to the motion to add a condition which would prohibit the sale of any alcoholic beverage through the drive-in window, noting that this has been specifically agreed to by the applicant. Councilman Walker, as maker of the motion, accepted this amendment.

A SUBSTITUTE MOTION was then offered by Councilwoman Geissert to hold CUP 82-2 (Mod) for two weeks to allow staff to prepare a study. Her motion was seconded by Councilman Mock, and carried by way of the following roll call vote:

AYES:	COUNCILMEMBERS:	Geissert, Mock, Nakano, and Wirth.
NOES:	COUNCILMEMBERS:	Applegate, Walker and Mayor Armstrong.

15c. APPEAL OF RICHARD ROMAN:

There being no objection, Agenda Item 15c was continued to November 26, 1985.

15d. CUP 85-15, CAL TARGET ENTERPRISES, INC.

See Page 6.

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16. APPEALS:16a. APPEAL OF DECISION BY AIRCRAFT NOISE ADMINISTRATIVE HEARING BOARD - VIETS S. LOGUE AND ROGER SANDERSON:

Mayor Armstrong announced that this was the time and place for Council consideration of an appeal of a decision by the Aircraft Noise Administrative Hearing Board in the case of Viets S. Logue and Roger Sanderson - aircraft noise exceedance, Site #1, Torrance, CA - on January 10, 1985.

It was ascertained that all parties were present.

Mayor Armstrong then read the following statement into the record:

On June 21, 1985, the Airport Noise Administrative Hearing Board, the members of which were MS. KATHY KEANE, Chairperson and Assistant to City Manager; CHIEF RICHARD DeYOUNG, of the Torrance Fire Department; and MR. BROOKS BELL, JR., Civil Engineering Associate, conducted a hearing at which it was determined that aircraft Beechcraft Bonanza N3285C and pilot ROGER SANDERSON did on January 10, 1985, violate the airport noise limitations of Torrance Municipal Code Section 46.8.8.

The specific findings of fact and conclusions of law supplement, by separate copy, your agenda item package. The package contains a transcript of the entire hearing as well as copies of the exhibits introduced by the defense and which consist of the following:

1. Receipt from Airport Electronics dated 10-1-84;
2. Maintenance record for aircraft N3285C;
3. Supplemental type certificate number SA27700WE;
4. FAA approved airplane flight manual supplement;
5. Handwritten notes, allegedly reflecting efforts to contact the Noise Abatement Center.

Copies of these five exhibits appear at pages 17 through 24 of your package and the complete transcript of the hearing at pages 51 through 70.

Appeal is taken from the decision of the Board by the aircraft's owner, VIETS S. LOGUE, and by the pilot, ROGER SANDERSON. Both are represented by their attorney, MR. BRENT AYSCOUGH, who has noticed the appeal to be upon the grounds set out in the Notice of Appeal, a copy of which appears at pages 8 and 9 of your package, but which grounds may be summarized as these three:

- 1) The members of the Airport Noise Administrative Hearing Board lacked the technical competence to be qualified to adjudicate the disputed matters.

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- 2) Their decision was not supported by any competent evidence.
- 3) The evidence and argument of the defense failed to overcome the evidence presented by the Noise Abatement Center or to adequately affect the adverse weighing of credibility and finding of fact by the Board.

This hearing on appeal does not invite a rehearing of the case presented to the Board, nor an opportunity to redetermine the findings of fact by the Board. Evidence additional to that contained in the transcript and aforementioned exhibits is not to be received or considered unless noticed or stipulated.

Council must determine (1) the competency of the Board members to make their determination; (2) the sufficiency of evidence supporting their determination; and (3) any abuse of their discretion in weighing credibility and interpreting the evidence adversely to the defense.

Argument by Counsel for the appellants and by responding staff, if any, may be directed to these issues and will be heard as soon as members of the City Council have had the opportunity to review the transcript and exhibits.

Mayor Armstrong then inquired if any member of the City Council had not had an opportunity to review the transcript. There was no response.

Counsel Ayscough was then invited to present his case.

\* \* \*

Acknowledging the registered owner of the aircraft to be Mr. Logue and the pilot to be Mr. Sanderson, and also acknowledging that the noise microphone was "rung", Mr. Ayscough related the following facts which were not included in the findings of fact in this case:

(1) This was, in fact, a test, the aircraft having been certified for a new prop governor. That prop governor, per Counsel Ayscough, was slightly out of tune which caused an additional amount of noise to emanate from the aircraft at the time of take-off. It was further noted by Mr. Ayscough that the pilot, Mr. Sanderson, had attempted radio contact in order to obtain test authorization; however, no one responded (tests being exempted from noise violations).

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(2) Referencing the transcript of tower activity on the day in question, Mr. Ayscough pointed out that the subject Beechcraft Bonanza was directed onto Runway 29R; was directed to take off; and was further ordered to keep a Tomahawk in sight and to the right (Page 20 of the transcript). This tower direction to keep the Tomahawk to its right resulted in the Bonanza being directed over the microphone at an extraordinary low altitude, per Mr. Ayscough.

(3) The third, and main, point according to Mr. Ayscough, is that the panel appointed to handle this case did not have any pilots among its members.

\* \* \*

Ms. Monte McElroy, representing the City, presented as follows, addressing the three issues raised in this case.

(1) As to the question of the competency of the Board, Ms. McElroy offered the fact that judges and juries may lack technical expertise, but commonly make findings of fact on technical issues.

(2) Regarding the issue that no competent evidence was given to support the decision of the Board, Ms. McElroy argued that the factual violation was so stipulated by the defense (transcript Pages 52, 53 and 69). Further, identity of the owner and pilot of the aircraft were so stipulated by the defense and the familiarity of the owner and pilot with noise abatement procedures regarding testing was indicated on Pages 54, 55, 56 and 57 of the transcript.

The credibility of the pilot on the issue of attempting to contact staff by radio, Ms. McElroy continued, was resolved against the pilot by Board members -- the fact that they were aware of means other than by radio by which to contact staff was established by means of a certified letter sent to the owner of the aircraft following a previous noise violation of a significant nature.

(3) The third argument that the FAA control tower diverted the aircraft flight off the regular course was addressed by Ms. McElroy by noting that, according to the transcript submitted to the Board, the control tower merely instructed the aircraft to keep the other aircraft to its right; not to alter its course.

Concluding, Ms. McElroy stated staff's feeling that the Board did consider all evidence presented by both sides and did make a judgment based upon evidence with a finding of guilty for the aircraft and the pilot.

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In response, Mr. Ayscough directed attention to the apparent state of the transmittal equipment, advising that the transcript, particularly from the tower, indicates "how this electronic equipment is not always handled in an FM Stereo type of method."

Mr. Ayscough stated that pilots flying out of the Torrance Airport should be concerned first and foremost with safety. He further noted the Beechcraft to be an "ordinary airplane - not a hotrod" with slightly more speed and climbing capability and slightly more payload than many small planes. Mr. Ayscough deemed the ringing of the microphone in this instance to be the result of extenuating circumstances, and he recommended that the Council exercise discretion in considering this appeal.

\* \* \*

At this time, City Attorney Remelmeyer offered a statement as to the question of competency of the Board to make their determination, it not being necessary, for an administrative or quasi judicial board to be composed of experts.

Mr. Remelmeyer also advised the Council of the three alternatives available to them -- a decision to sustain the Board; a decision to overturn the Board; or a decision to send the matter back to the Board for additional evidence.

MOTION: Councilman Wirth moved to uphold the findings of the Hearing Board in the subject case. His motion was seconded by Councilman Mock.

Councilman Applegate then inquired as to whether or not the Council may consider the history of the aircraft involved. Following a statement by Mr. Ayscough that they were not presented with any previous evidence in the charges as to the past conduct of the aircraft, City Attorney Remelmeyer advised that such consideration would not be proper.

Councilman Applegate then stated his personal opinion that he does not have the necessary facts available to ascertain whether or not the aircraft might have been forced into a lesser flying altitude than it would normally take, taking into consideration the direction of the tower to keep the Tomahawk to its right. There may have been a change in the normal course taken or a change in the altitude because of the Tomahawk, per Mr. Applegate.

Questions of doubt were also indicated by Councilman Walker.

Councilman Mock offered his opinion that the Council's decision is more in terms of a reasonable doubt type of burden, rather than absolutely conclusive evidence. This was confirmed by City Attorney Remelmeyer.

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Councilman Wirth's earlier motion to sustain the findings of the Aircraft Noise Administrative Hearing Board in relation to Agenda Item 16a, carried by way of the following roll call vote.

AYES: COUNCILMEMBERS: Geissert, Mock, Nakano, Wirth and Mayor Armstrong.

NOES: COUNCILMEMBERS: Applegate and Walker.

17. ADMINISTRATIVE MATTERS:

17a. LEASE ASSIGNMENT FOR AIRPORT PLAZA SHOPPING CENTER:

City Clerk Babb read title to --

RESOLUTION NO. 85-317

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE APPROVING AN ASSIGNMENT OF THE AIRPORT PLAZA SHOPPING CENTER PARTNERSHIP TO A NEW, EXPANDED PARTNERSHIP CALLED AIRPORT PLAZA ASSOCIATES II, A CALIFORNIA GENERAL PARTNERSHIP

MOTION: Councilwoman Geissert moved for the adoption of Resolution No. 85-317. Her motion, seconded by Councilman Nakano, was unanimously approved by roll call vote.

17b. PURCHASE OF LAND AT 190TH STREET AND HAWTHORNE BOULEVARD FROM DR. RALPH BLACK:

At the request of Mayor Armstrong, City Clerk Babb read title to --

RESOLUTION NO. 85-318

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE APPROVING THE PURCHASE OF THE PARCEL OF LAND AT THE NORTHEAST CORNER OF HAWTHORNE BOULEVARD AND 190TH STREET IN THE CITY OF TORRANCE AND APPROVING THE SUM OF \$24,000 FOR SUCH PURCHASE

MOTION: Councilwoman Geissert moved for the adoption of Resolution No. 85-318. This motion, seconded by Councilman Nakano, carried unanimously by roll call vote.

17c. EXECUTIVE SESSION:

See Page 17.

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20. CONSENT CALENDAR:20a. INVESTMENT REPORT - MONTH OF AUGUST, 1985:RECOMMENDATION OF CITY TREASURER:

It is recommended that the Council receive the investment report for information only.

- 20b. AWARD OF CONTRACT \_ For Purchase of One Paramedic Rescue Truck Body (to be Installed on City Furnished New Truck Chassis)  
EXPENDITURE: \$7,087.58.

RECOMMENDATION OF GENERAL SERVICES ACTING DIRECTOR:

It is staff's recommendation that Council award a contract for the purchase and installation of a paramedic rescue body to the Royal Truck Body Company of Paramount, California, in the total amount of \$7,087.58.

- 20c. NOTICE OF COMPLETION - Crenshaw Boulevard Between Maricopa Street and Carson Street  
(B 83-52)

RECOMMENDATION OF CITY ENGINEER:

That the work be accepted and final payment be made to the contractor.

Mayor Armstrong requested that Agenda Item 20c be held for one week. There was no objection, and it was so ordered.

MOTION: Councilman Applegate moved to concur with staff recommendations on Agenda Items 20a and 20b. His motion was seconded by Councilman Walker, and roll call vote was unanimously favorable.

21. ADDENDUM MATTER:21a. AUTHORIZATION OF REFUND OF UTILITY USERS' TAX:

At the request of Mayor Armstrong, City Clerk Babb read title to --

RESOLUTION NO. 85-319

A RESOLUTION OF THE CITY COUNCIL OF THE CITY  
OF TORRANCE APPROVING A REFUND OF UTILITY

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USERS' TAX BY THE SOUTHERN CALIFORNIA GAS  
COMPANY ON CONDITION THAT SUCH REFUND IS  
AUTHORIZED BY THE PUBLIC UTILITIES COMMISSION

MOTION: Councilwoman Geissert moved for the adoption of Resolution No. 85-319. Her motion, seconded by Councilman Nakano, carried unanimously by roll call vote.

\* \* \*

At 8:28 p.m., the City Council convened in joint session with the Redevelopment Agency of the City of Torrance, returning to the Council agenda at 8:45 p.m., but remaining in joint session for purposes of the executive session (see Page

\* \* \*

22. ORAL COMMUNICATIONS:

22a. City Attorney Remelmeyer introduced Ms. Annette Hutton, the new law clerk on his staff. Ms. Hutton was warmly welcomed by the Council.

22b. Councilman Applegate reported on his recent trip to Washington, D.C. in connection with the 1986 Armed Forces Day Parade.

22c. Councilman Nakano commented on his recent first trip to the Nation's Capital.

22d. Councilman Wirth requested that the Council be given as much notice as possible on upcoming Council agenda items.

22e. Mayor Armstrong noted the December National League of Cities conference in Seattle and the fact that the Council will be dark at that time (December 10, 1985).

22f. Ms. Georgean Griswold provided an update on Rose Float matters:

- o Last day to sign up for float decorating will be November 21.
- o Rose Ball will be held November 30, at the Holiday Inn.

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22g. Ms. Ilene Hockens, 1303 Date Avenue, reiterated her previously stated concerns that the Greenwood School site be retained for open space purposes.

22h. Mr. Earl Henderson, 1621 Crenshaw, requested, and received information regarding the Council's earlier action concerning the Cal Target appeal (see Page 6, Item 15d).

22i. Ms. Sharon Jones, 1220 Elm Avenue, reiterated her concerns regarding Greenwood School.

22j. Mr. Robert Thompson, 1225 Cranbrook Avenue, emphasized the importance of the Greenwood site to the community.

The Council now returned to --

17c. EXECUTIVE SESSION:

Mayor/Chairman Armstrong read the following statement into the record.

The City Council will now recess to closed session for the purpose of conferring with the City Attorney regarding the following:

Pending litigation entitled City of Torrance vs. Torrance Unified School District, Case No. C561662, Los Angeles Superior Court. This closed session is being held pursuant to the provisions of Government Code Section 54956.9(a).

The City Council will also recess to closed session for the purpose of conferring with the legal counsel for the City's Redevelopment Agency concerning the following:

Pending litigation concerning eminent domain proceedings of 25 acres of land situated north of Torrance Boulevard and east of Van Ness Avenue. (Redevelopment Agency of the City of Torrance vs. J. S. Enterprises, Inc., Superior Court Case Number C544906. The authority for holding a closed session for this purpose is contained in Government Code Section 54956.9(a).

At 9:10 p.m., the City Council/Redevelopment Agency of the City of Torrance recessed to a joint executive session, returning at 10:13 p.m., at which Mayor Armstrong offered the following information.

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22. ORAL COMMUNICATIONS (Continued):

22k. Mayor Armstrong expressed the ongoing and continued interest and dedication of the City of Torrance in being able to purchase the Greenwood School site for purposes of open space, and the current status of the negotiations in this regard. It was the Mayor's request that the matter be held for two weeks to allow the City Manager and Finance Director to examine the overall financial consideration.

At 10:25 p.m., the meeting of the Redevelopment Agency/City Council was adjourned to November 19, 1985, at 5:30 p.m.

# # # # #

Katy Gessner  
Mayor of the City of Torrance

Donald E. Nelson  
Clerk of the City of Torrance

Peggy Laverty  
Minute Secretary

18.

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