

I N D E X

Torrance City Council - January 5, 1988

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* * *

Marlene Lewis
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 session on Tuesday, January 5, 1988, at 5:38 p.m., in the Council Chambers at Torrance City Hall.

2. ROLL CALL:

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

Absent: None.

Also Present: City Manager Jackson,
City Attorney Remelmeyer, and
Staff Representatives.

* * *

It was with great sadness that the Mayor announced the death of John Johnson, Jr., a part-time Parks and Recreation employee and son of Barbara Johnson, curator at the Joslyn Center. Mayor Geissert asked that this meeting be adjourned in his memory.

* * *

3. FLAG SALUTE/INVOCATION:

Wendall Mock was called upon by the Mayor to led those present in the Flag Salute.

The invocation for this meeting was provided by Dr. Donald E. Wilson.

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4. APPROVAL OF MINUTES/MOTION TO WAIVE FURTHER READING:

MOTION: Councilman Applegate moved to approve the City Council minutes of December 1, 1987, as written. Councilwoman Hardison seconded his motion and roll call vote was unanimously favorable.

MOTION: 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 the guaranteeing to each Councilmember the right to demand the reading of any such resolution or ordinance in regular order. His motion, seconded by Councilwoman Hardison, was approved unanimously by roll call vote.

5. MOTION RE POSTING OF AGENDA:

MOTION: Councilman Applegate moved to accept and file the report of the City Clerk on the posting of the agenda for this meeting. This motion was seconded by Councilwoman Hardison and roll call vote was unanimously favorable.

6. WITHDRAWN OR DEFERRED ITEMS:

8a. Recognition of two West Torrance Soccer Teams:

Mayor Geissert announced that Item 8a would be rescheduled for the meeting of January 19, 1988.

11a. Counseling Services Contract for Juvenile/Diversion Program:

The City Manager reported that Item 11a had been withdrawn.

7. COUNCIL COMMITTEE MEETINGS:

Ad Hoc Sister City Steering Committee:

Councilman Nakano announced a meeting of the Ad Hoc Sister City Steering Committee on Wednesday, January 6, 1988 to finalize the schedule for the Kashiwa delegation that will be in the City on February 17, 18 and 19.

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8. COMMUNITY MATTERS:

8a. RECOGNITION OF SOUTHERN CALIFORNIA (SECTION I) SOCCER CHAMPIONSHIP WINNERS:

Postponed until January 19, 1988; see Page 2.

8b. RESOLUTION COMMENDING JOHN W. DONALD:

The Mayor requested City Clerk Wilson to assign a number and read title to:

RESOLUTION NO. 88-1

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF TORRANCE COMMENDING
JOHN W. DONALD
FOR DEDICATION AND SERVICE
TO THE TORRANCE COMMUNITY

MOTION: Councilman Nakano moved to adopt Resolution No. 88-1 and his motion was seconded by Councilwoman Hardison. Roll call vote was unanimously favorable.

Mayor Geissert noted that this Resolution would be presented on behalf of the Council at a reception for Mr. Donald to be held on Friday, January 8, 1988.

11. POLICE AND FIRE MATTERS:

11a. COUNSELING SERVICES CONTRACT FOR JUVENILE/DIVERSION PROGRAM:

Withdrawn; see Page 2.

14. PERSONNEL MATTERS:

14a. DELEGATE TO ATTEND 2ND ANNUAL NATIONAL ASSOCIATION OF PRIVATE INDUSTRY COUNCILS' (NAPIC) BUSINESS FORUM:

RECOMMENDATION:

It is recommended by the Personnel Department, Manpower Division, and the Carson/Lomita/Torrance Policy Board, that Council approve the out-of-state travel request for James Slayden as a delegate to the National Association of Private Industry Councils' Business Forum

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and authorize a travel advance from JTPA grant funds, not to exceed \$933, to cover the conference expenses.

MOTION: Councilman Applegate moved to concur with the staff recommendation on Item 14a. The motion was seconded by Councilman Walker and carried by unanimous roll call vote.

Councilwoman Hardison called attention an information item distributed to the Council with more in-depth information on this matter.

15. HEARINGS:

15a. PP 87-33, W 87-26, JESSE NEGRETE:
(Continued from December 1, 1987 meeting)

Mayor Geissert announced that this was the time and the place for a public hearing regarding the continuation of City Council consideration of a neighbor appeal of a Planning Commission approval of a Precise Plan of Development and a Waiver to allow the Construction of a one- and two-story addition to an existing single-family residence in the Hillside Overlay District at 4810 Bindewald Road, PP 87-33, W 87-26, JESSE NEGRETE (DAVE AND BEVERLY SMITH).

It was noted by the Mayor that this matter was continued at the December 1 meeting to allow the applicant and the appellant to meet for the purpose of compromise.

Principal Planner Gibson reported that the parties had met, with staff in attendance, and an alternative submittal had been offered.

Reviewing the modifications proposed with overhead projections, Mr. Gibson reported that the floor area to the second story was reduced by approximately 77 square feet to lessen the potential bulk and light impacts on the residence to the west. It was noted by this speaker that the silhouette was modified to reflect changes proposed.

Mr. Gibson noted the Planning Commission's approval of the original application and set forth the Planning Department's view that the proposed modification is an improvement to the original submittal in terms of impact to surrounding properties and their recommendation that PP 87-33, W 87-26 be approved as conditioned.

Staff provided clarification of the material presented in response to Council inquiries, following which members of the audience were invited to speak.

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Applicant Jesse Negrete, 4231 181st Street, submitted for the record copies of a letter from a neighbor of the applicants (correspondence from Frank R. Herbert, 4806 Bindewald Road, favoring the original and altered plans and opposing horizontal expansion). The revisions proposed and the criteria used in developing the compromise proposal were reviewed by Mr. Negrete and he requested approval of this project, as modified.

Of the opinion that only a small compromise was made by the applicant, Appellant Evelyn Burkhalter, 4814 Bindewald Road, said she found the modified plan unacceptable due to the height of the proposed structure and its proximity to her house.

Responding to Councilmember Wirth's question, Ms. Burkhalter said she saw no reason why the subject dwelling could not be expanded into the back of the property.

There being no one else from the audience who wished to speak to this item, Councilman Applegate, seconded by Councilwoman Hardison, moved to close the public hearing. The motion carried by unanimous roll call vote and the following motion was offered for consideration.

MOTION: Councilman Wirth moved to deny the appeal and grant the request, approving PP 87-33 and W 8-26 as modified. His motion was seconded by Councilman Walker. (This motion carried; see below.)

Having recommended the parties negotiate a compromise, Councilwoman Hardison expressed her disappointment that there was not more of a compromise made. However, it was her feeling that Ms. Burkhalter may not have been reconciled by anything short of a one-story proposal. Under the circumstances, Ms. Hardison said she favored the motion.

It was Councilman Applegate's opinion that the quality of work and method of presentation by Mr. Negrete aided the Council in making a decision and he thanked Mr. Negrete for his efforts.

Mayor Geissert stated her belief that the modified plan would reduce the impact to the Burkhalter residence relative to the loss of sunlight.

Following discussion, the appeal was denied and the project approved, as amended, by unanimous roll call vote.

City Clerk Wilson then read number and title to:

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RESOLUTION NO. 88-2

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A PRECISE PLAN OF DEVELOPMENT AS PROVIDED FOR IN DIVISION 9, CHAPTER 6, ARTICLE 2, OF THE TORRANCE MUNICIPAL CODE TO ALLOW THE CONSTRUCTION OF A ONE- AND TWO-STORY ADDITION TO AN EXISTING RESIDENCE IN THE HILLSIDE OVERLAY DISTRICT IN THE R-1 ZONE LOCATED AT
4810 BINDEWALD ROAD
PP 87-33: JESSE NEGRETE

MOTION: Councilman Nakano moved for the adoption of Resolution No. 88-2. His motion, seconded by Councilwoman Har- dison, carried by unanimous roll call vote.

15b. EA 87-2, CUP 87-9, THOMAS K. FITZPATRICK:

Councilman Wirth advised of the Council's agreement to hold this hearing after 7:00 p.m.; see Pages 13 to 25.

15c. REVISIONS TO THE CONFLICT OF INTEREST CODE:

RECOMMENDATION OF THE CITY CLERK:

It is recommended that the City Council approve the revisions in the Conflict of Interest Code for the City departments and the City commissions; that the changes in the Conflict of Interest Code for the Civic Center Authority be approved; and that the five new job classifications under the City Conflict of Interest Code be approved together with the reporting categories for each job classification.

Mayor Geissert announced that this was the time and the place for a public hearing regarding the Conflict of Interest Code.

Proof of publication, as provided by the City Clerk, was filed without comment.

The main changes to the Conflict of Interest Code being finalized by the County were reviewed by City Clerk Wilson and included:

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1. The definition of "Business Position" relative to reportable income and disclosure of all investments;
2. Inclusion of the job classifications of Central Services Supervisor, Custodial Supervisor, Law Clerk, Theater General Manager and Traffic Engineer Associate in the reporting requirement.

As no one in the audience expressed a desire to be heard on this matter, Councilman Applegate, seconded by Councilwoman Hardison, moved to close the public hearing. Roll call vote on the motion was unanimously favorable.

MOTION: Councilman Walker moved to concur with the recommendation of the City Clerk on Item 15c. Councilman Wirth seconded the motion and roll call vote was unanimously favorable.

17. ADMINISTRATIVE MATTERS:

17a. EXECUTIVE SESSION:

Deferred; see Pages 12 and 13.

20. CONSENT CALENDAR:

- 20a. AWARD OF CONTRACT for the purchase of one (1) new automated side loader refuse truck with right-hand drive and dual drive rear axles and 26 cubic yard capacity.

Reference: Bid B87-79

Expenditure: \$120,638.94, including sales tax

STAFF RECOMMENDATION:

Both the Equipment Superintendent and Street Maintenance Superintendent recommend the selection of Bid Alternate No. 1 (Peterbilt truck chassis and Heil refuse body) based on:

- A. Performance of the unit during the demonstration phase as compared to the other units demonstrated.
- B. The fact that the unit complies with bid specification requirements.

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Although Bid Alternate No. 2 for the Rapid Rail unit is a lower price, the Rapid Rail unit, when previously demonstrated to staff, had inadequacies making the unit unacceptable to staff. Although it loaded and packed normal household trash in an acceptable manner, when small tree branches were in trash to be picked up, which is a normal and frequent occurrence, the unit would not transfer the limbs into the main trash holding body area except by stopping the truck, putting the transmission in neutral and revving-up the engine to speed-up the packing cycle. Conclusions: unacceptable high engine noise level in alleyways; interruption in the pick-up cycle slowing down the process; and limbs were not satisfactorily packed. So, based on demonstration results, staff is not inclined to recommend the purchase of the Rapid Rail unit, Bid Alternate No. 2. But staff does recommend the purchase of the next lowest bid, Bid Alternate No. 1, which is for a Heil refuse unit, Model No. 7000-24.

RECOMMENDATION OF THE DIRECTOR OF GENERAL SERVICES:

Staff, therefore, recommends the purchase of Bid Alternate No. 1 from the Engs Motor Truck Company of Pico Rivera for a Peterbilt truck chassis and Heil refuse body in the total amount of \$120,638.94, including tax.

City Attorney Remelmeyer provided clarification regarding Consent Calendar Items 20b and 20d essentially as follows:

With respect to the contract to furnish the City's annual requirements of asphalt and related street maintenance products (Consent Calendar Item 20d), City Attorney Remelmeyer explained that this is a typical "requirements contract" for the bidder to furnish all of the asphalt the City needs during the coming year at a unit price. Although a dollar value is set forth, the contract is not for a fixed sum, he said, and the seller must furnish the material at the low bid price regardless of the quantity purchased by the City during the contract period.

Mr. Remelmeyer further explained that when the department goes out for bid they normally estimate their needs and the amount that should be appropriated for the requirement and the contract is normally posted in this amount, in this case \$619,989.75. Although the contract is for whatever asphalt is needed, Mr. Remelmeyer said the Engineering Department would have to return to

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the City Council in order to increase this funding appropriation if more asphalt is needed during the term of the contract unless there has been another appropriation for this use in the budget.

City Attorney Remelmeyer explained that Item 20b is misleading because it is written such to appear to be a contract for the replacement of 34 defective traffic signal loops when it is actually a request to increase the funding appropriation on an existing unit requirements contract to allow for this replacement under that contract. Mr. Remelmeyer elucidated that it is not necessary for the City to rebid this item in order to purchase more units under an existing unit requirements contract.

It was Mr. Remelmeyer's opinion that this clarification was needed for the record because it may otherwise appear that the Council is increasing the amount of the bid without competitive bidding in accordance with the charter provisions.

- 20b. AWARD OF CONTRACT CHANGE to utilize an existing Transportation Department contract to provide for replacement of 34 defective traffic signal loops on 231st and 235th Streets at Arlington Avenue for the Engineering Department.

Reference: Bid B87-75

Expenditure: The addition of \$7,386.60 (to previously approved \$10,000.00 contract).

RECOMMENDATION:

The Purchasing Division recommends the Council authorize a change to an existing Transportation Department contract with the Signal Maintenance, Inc. company of Anaheim, California, to incorporate loop replacement work required by the Engineering Department on 231st and 235th Streets at Arlington Avenue adding the amount of \$7,386.60 to the previously approved contract amount of \$10,000.00 thereby increasing the contract total to \$17,386.60.

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20c. AWARD OF CONTRACT to furnish City's annual requirements for miscellaneous dry cell batteries.

Reference: Bid B87-90

Expenditure: (anticipated) \$16,074.47, including tax

RECOMMENDATION:

The Purchasing Division is recommending that the City Council award an ANNUAL CONTRACT FOR VARIOUS DRY CELL BATTERIES, with pricing, terms and conditions based on Bid No. B87-90, to BATTERY SPECIALTIES of Long Beach, California, in the total amount of \$16,074.47, including tax.

20d. AWARD OF CONTRACT to furnish City's annual requirement of asphalt and related street maintenance products.

Reference: Bid B87-84

Expenditure: (anticipated) \$619,989.75

RECOMMENDATION:

The Purchasing Division recommends that Council authorize the award of an annual contract for the purchase of asphalt and related street maintenance products from the low responsible bidder Blue Diamond Materials of Long Beach, California, in the amount of \$619,989.75, including tax. (See City Attorney's statement regarding Item 20d; Pages 8 and 9.)

20e. AWARD OF CONTRACT for installation of a vinyl-coated, chain link security fence at the El Dorado retention basin.

Reference: Bid B87-88

Expenditure: \$8,867.50

RECOMMENDATION:

The Engineering Department recommends that the construction contract be awarded to Bull Fence Company in the amount of \$8,867.50 and that the other bids be rejected.

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20f. AWARD OF CONTRACT for SOLE SOURCE purchase of Motorola Radio Equipment, one (1) Transit Repeater Unit, utilizing L.A. County contract pricing.

Reference: L.A. County Contract No. 50337

Expenditure: \$11,956.75, including tax

RECOMMENDATION:

The Purchasing Division recommends the City Council award a contract for the purchase of (1) Transit Repeater Unit with the manufacturer, Motorola Communications and Electronics, Inc. of El Segundo, California, utilizing pricing from the Los Angeles County contract, in the total amount of \$11,956.75, including tax.

MOTION: Councilman Applegate moved to concur with the staff recommendations on Consent Calendar Items 20a through 20f. His motion, seconded by Councilman Wirth, carried by unanimous roll call vote.

* * *

At 6:10 p.m. the City Council recessed and, remaining in their seats, reconvened as the Redevelopment Agency of the City of Torrance. Upon the conclusion of Redevelopment Agency business at 6:12 p.m., the Council returned to the regular City Council agenda order of business.

* * *

22. ORAL COMMUNICATIONS:

22a. City Attorney Remelmeyer wished all a solicitous New Year.

22b. Councilman Applegate echoed Mr. Remelmeyer's New Year's greeting.

22c. Having tried this new service, Councilwoman Hardison commented favorably on the "direct route" bus information made available by telephone.

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22d. Councilman Mock extended his congratulations to the Rose Float Association and float volunteers for "a job well done" on this year's entry.

22e. Councilman Nakano advised of a citizen's complaint regarding the parking of used cars for sale on 190th Street between Hawthorne Boulevard and Inglewood Avenue, particularly on weekends; and, having been informed by Police Chief Nash that the authority to enforce restrictions in this regard was set aside by the State, he requested that staff investigate possible remedies.

22f. Information from staff was requested by Councilman Wirth regarding the abatement of deteriorating properties throughout the City, particularly property at the corner of Sepulveda Boulevard and Kent Avenue, and the City's authority relative to establishing an ordinance that would allow for the purchase and sale of such property. City Manager Jackson agreed to research the matter.

22g. Mayor Geissert expressed pride in the City's "very beautiful and colorful" float and thanked all of the people who helped with this year's Rose Parade entry.

The Council now returned to the consideration of:

17a. EXECUTIVE SESSION:

The following statement was read into the record by Mayor Geissert at this time.

The City Council will now recess to closed session to confer with the City Manager regarding salaries, salary schedules and compensation for certain represented employee groups and unrepresented employees as well as certain personnel matters. Authority for holding an executive session for this purpose is contained in the provisions of Government Code Sections 54957.6 (a) and 54957.

The City Council will also confer with the City Attorney regarding the renegotiation of the lease of City-owned property on the Civic Center to Paragon Cable. Authority for holding an executive session for this purpose is contained in Government Code Section 54956.8.

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At 6:18 p.m., the City Council recessed to an executive session for the purposes noted, returning to the Council Chambers at 7:02 p.m. No action was taken as a result of this executive session.

The Council then returned to consideration of:

15b. EA 87-2, CUP 87-9: THOMAS K. FITZPATRICK:
(Continued from the meeting of November 24, 1987)

Mayor Geissert announced that this was the time and the place for a public hearing on City Council review of requested supplementary material on traffic and marketing in consideration of an appeal of the Negative Declaration issued by the Environmental Review Board (ERB) for a proposed five-story hotel (the Hampton Inn at the southeast corner of Los Codona Avenue and 238th Street), EA 87-2, CUP 87-9: THOMAS K. FITZPATRICK.

The proof of publication, as provided by the City Clerk, was filed without objection.

Presenting a brief synopsis on the status of this request, Principal Planner Woodward reported:

- That the Fitzpatrick hotel case was first filed 11 months prior to this hearing;
- That during the course of environmental review the original application was augmented by special studies on sun/shadow, reflectivity and traffic;
- That at an appeal hearing before Council on November 24, 1987 on the Environmental Review Board's issuance of a Negative Declaration an expanded traffic study, market analysis information and flight path transition zone data was requested; and
- That the requested material was supplied for Council review.

Staff Recommendation:

Ms. Woodward said in staff's judgment the supplemental information answered the remaining questions relative to the project's environmental assessment and provided an adequate basis for the Planning Commission and Council to review the project itself. This speaker also conveyed the Planning Department's recommendation that the Negative Declaration be affirmed and that this case be allowed to proceed in the review process.

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Supplementary agenda material consisting of a letter from a resident of Los Codona (correspondence of record from Marjorie Crandall, Ph.D., dated December 21, 1987) and explanatory material from the Department of Transportation was noted by Principal Planner Woodward.

At Mayor Geissert's request, cognizant staff members commented on the supplementary reports submitted.

Expanded Traffic Study:

Those present were apprised by Traffic Manager Vance that an organization called CALTAP was hired by the City to perform a special traffic study inclusive of Ocean Avenue between Sepulveda Boulevard and Pacific Coast Highway, adjacent developments, and the condominiums at 230th Street and Ocean Avenue. Relative to the hotel project and Ocean Avenue, Mr. Vance reported that the original traffic study on this project and the expanded traffic study by CALTAP basically conclude:

- That this particular area of Ocean Avenue is within the standard operating parameters for a residential collector street in the Southern California area relative to traffic volumes;
- That it is below standards in terms of traffic accidents; and
- That no particular mitigation requirements are needed in this case relative to Ocean Avenue.

Providing additional information regarding traffic, Traffic Manager Vance reported that a resident of the subject area requested a review of the traffic movement on 234th Street alleging that there is substantial cut-through traffic going from Anza to Ocean by way of 234th Street and reversing this course in the afternoon. Mr. Vance advised that manual traffic counts taken at the 234th Street/Ocean Avenue intersection substantiated this allegation.

The manual traffic count also addressed a question regarding compliance with the four-way stop at the 234th Street/Ocean intersection, and Traffic Manager Vance conveyed staff's finding that there is very little compliance with the four-way stop at that intersection, particularly with respect to the southbound to westbound movement.

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Response to Council Inquires Re Expanded Traffic Study:

Information contained in the supplemental traffic study indicating the segment of 234th Street between Ocean and Anza Avenues carries 2,780 vehicles per day, exceeding the 2,000 vehicles per day rule for a local residential street by 780 vehicles per day, was read aloud by Mayor Geissert with a request for illumination. Staff elucidated that these figures do not take into consideration the possible impacts from either the hotel development or the Meadow Park development.

Interpreting the information on Page 3 of the CALTAP report (Page 6 of agenda material) for the benefit of Councilwoman Hardison, Traffic Manager Vance said the traffic counts and average daily traffic volumes indicate traffic is taking a shortcut by traveling northbound on Anza, eastbound on 234th Street, north on Ocean Avenue and east on Lomita Boulevard.

Councilwoman Hardison indicated at this time that she may want to give separate consideration to the issue of shortcutting in the subject residential area and possible remedies thereto.

Also questioned by Councilwoman Hardison was the statistics in the traffic study relative to the number of accidents at the intersection of Ocean Avenue and Lomita Boulevard (Page 5 of the report and Page 8 of agenda material). It was her request that staff return with a year-by-year listing of the number of accidents at that intersection for the last five years rather than an average for the five-year period.

Director of Transportation Horkay clarified that reference in the report to the closing of 238th Street as a possible mitigation measure is not the recommendation of the Transportation or Engineering Departments. That street was specifically opened, he elucidated, in order to avoid signalization at the intersection of Ocean Avenue and Pacific Coast Highway.

Flight Path Transition Zone Data:

Airport Manager Cagaanan reported that Transportation staff and the Control Tower Chief observed aircraft flying over the area from the project site and concluded (as stated in the supplementary material) that 80 percent of the aircraft were at 600 feet when they reached Hawthorne Boulevard. Under Federal Aviation Administration criteria, Mr. Cagaanan advised that the hotel project is well within the approval range and would not require hazard lights. It was the consensus of staff, he said, that this project would probably not be impacted by the Airport.

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Mr. Cagaanan also conveyed the Control Tower Chief's opinion that the materials to be used, such as soundproofing and double glazed windows, would reduce the noise factor to almost zero.

Existing eucalyptus trees adjacent to the proposed site that are 40 to 45 feet tall were mentioned by speaker Cagaanan and he noted that hazard lights are not required on the three-story high (35 feet) Sartori Building located on Hawthorne Boulevard.

Director of Transportation Horkay mentioned staff's concern relative to the high occupancy of a hotel as compared to other uses and observed that this issue was not addressed in the reports.

Input from the Audience:

Mayor Geissert invited members of the audience to speak at this time.

First to address the Council was Mr. Jim McIntyre, 3910 West 234th Place (two houses from Ocean Avenue), who, speaking on behalf of the Southwood Riviera Homeowners Association and as an individual, made the following observations relative to the supplementary traffic report:

- That the report indicates there are thousands of vehicles per day on Ocean Avenue, but does not mention that this is a residential area with families, churches, a park, and two little league fields.
- That the residents do not want to see any increase in traffic volume for that street.

Page 3 of agenda material (memorandum of December 21, 1987, signed by Traffic Manager Vance) was quoted in part by Speaker McIntyre:

...that traffic operations on Ocean Avenue are within standard parameters of a residential collector street...

He questioned the source of "standard parameters."

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Continuing his comments, Mr. McIntyre stated:

- That the hotel use would increase daily traffic in the area by 1407 vehicles trips per day while condominiums would only generate 18 percent of that volume (Page 12 of the agenda material, "Alternative Land Uses Traffic Generation Rates").
- That hotel use would generate noise and light and would be twice the height of the adjacent apartments.
- That it would only take one stray plane to impact the hotel project.

Mr. McIntyre read aloud from Page 9 of agenda material (Page 6 of the special traffic report):

The proposed development will be built on an existing six acre school site which is currently being used for adult education. The existing school generates approximately 360 vehicle trips per day.

The proposed development will generate 1740 vehicle trips per day...

This speaker remarked that the school had been closed for approximately two years and he questioned the figures presented based on vehicle trips currently generated by this site.

(Director of Transportation Horkay later clarified that the previous property use is commonly the basis for traffic counts when land is dormant.)

Mr. McIntyre read from the bottom of Page 9 of agenda material (Page 6 of the special traffic report);

A small percentage of the traffic may use Ocean Avenue between Lomita and Sepulveda Boulevards. Assuming a worst case scenario that 50 percent (690 vehicle trips)...

It was pointed out by Mr. McIntyre that people in this area use Ocean Avenue to go shopping and he therefore opined a 50 percent figure would be easy to achieve; and, reading aloud the last line on Page 9, "This is 85 percent of the upper limits of a collector street," he concluded that the report was done by people who are not familiar with this area because it is his observation that Ocean Avenue near Sepulveda Boulevard is currently at gridlock between 4:00 p.m. and 7:00 p.m.

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The next speaker Ms. Gail Bedinger, 4011 West 232nd Street, said she regarded Ocean Avenue as a residential street, regardless of the designation of "collector street" placed on it by the City, and felt it would be negatively impacted by the proposed development. This speaker suggested consideration be given to traffic that would go west from the Meadow Park development to Ocean Avenue. She proposed, as a remedy, the closure of Ocean Avenue pursuant to the precedent set by the closure of Ocean Avenue north of Sepulveda Boulevard and the closure of residential streets in other areas of the City.

Ms. Carrie Sussman, 3904 234th Place (corner of Ocean Avenue and 234th Place), a 20-year resident of the area, deemed traffic on Ocean Avenue an ongoing concern with a history of complaints and remedial actions taken; observed that the traffic volume on that street has continued to increase without additional development; complained that her property has been negatively impacted by Airport and traffic noise; and agreed with the observation of previous speakers that accident rates "do not tell the whole story."

In conclusion Ms. Sussman opposed the land use proposed; set forth the neighborhood's opposition to increased noise, litter, and density; and voiced her support for the concept of street closure or some other method of limiting traffic flow through that area.

Located adjacent to the Meadow Park School site, Mr. Paul Jacobson, 22937 Audrey, expressed his distress relative to the use proposed for the school site; conveyed his concern regarding the increased traffic a hotel would represent; stated his opposition to the "over commercialization of Torrance" and the hotel proposal; questioned the methodology of the traffic study, opining that a one-day count is not representative of a weekly or seasonal traffic flow and therefore the report is not a correct and accurate assessment, in his opinion; and, relative to safety concerns, offered his thanks to Councilwoman Hardison for requesting an annual figure on traffic accidents.

At the Mayor's request, Traffic Manager Vance explained that the most recent traffic counts were taken in late 1987 over a span of approximately 30 hours and were adjusted to a 24-hour period. Generally speaking, Mr. Vance advised that counts are taken during the school year whenever possible; in good weather whenever possible; and avoiding unusual circumstances, such as holidays. Such counts are accepted as a reasonable average count for the particular reach or intersection involved, he said.

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Expressing concern over the steady increase in traffic on Ocean Avenue, Mr. Stanford Orfila, 23204 Ocean Avenue, stated his belief that this residential street is at a "precipitous" point with the development of Meadow Park and the hotel site and suggested that acceptable numbers were arbitrarily assigned in the traffic report. It was his opinion that the safety record of Ocean Avenue was perhaps due to the perseverance of parents in the area and should not be construed as an indication that there is room for more traffic. Noting the efforts of residents over the years to protect this street, Mr. Orfila urged the Council to take a careful look at this situation.

Ms. Lola Unger, President of the Torrance League of Women Voters, 3903 Bluff Street, said she was present to address the larger problem of traffic in the City. Reading from a prepared statement (of record), Ms. Unger set forth the League's current position that planning and development criteria should address the cumulative overall effects of a project and its impact on other uses and the community as a whole. She further reported that the League of Women Voters has undertaken its own traffic study in order to suggest mitigation measures; and, anticipating this study would be completed in April, Ms. Unger urged the Council to require traffic mitigation measures in the meantime for any future major developments.

In agreement with the League's concerns, Councilman Wirth stated his understanding that the City is in the preliminary stages of a Hawthorne corridor study and that, at his request, Council placed conditions on the Oxford project and Mall expansion requiring their participation in this study.

Having observed the counting devices employed by the City on a Tuesday evening early in December, 1987, Mr. Ed Wooley, 23207 Ocean Avenue, a member of the Southwood Riviera Homeowners Association, questioned the validity of information extrapolated on a Tuesday evening when, in his opinion, traffic builds during the week and peaks on Friday and Saturday. From the standpoint of the homeowners and pedestrians, Mr. Wooley contended that problems normally occur during peak periods.

Called upon by the Mayor, Traffic Manager Vance explained that traffic counts are usually taken on a Tuesday, Wednesday or Thursday, avoiding days when traffic is not considered normal, in order to get an average count.

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Mr. Wooley opined that Ocean Avenue and 234th Street would have a greater than expected increase in traffic because people would use those streets for the convenience of avoiding traffic signals on the main thoroughfares.

Owner of an apartment building at 24035 Ocean Avenue, Ms. Janet McAuley, questioned Page 5 of the supplemental traffic report (Page 8 of agenda material) regarding the accident rate, stating that CalTrans told her only injury-related accidents are counted.

Clarification was provided by Traffic Manager Vance, who said all reported accidents are counted, including reports of property damage, only. Police Chief Nash affirmed the documentation of every accident reported whether or not an injury is involved.

Ms. McAuley discussed the projection set forth in the original traffic study on this project that traffic volume in Torrance will increase 1 percent per year over the next ten years. Stating her understanding there has been a 3 percent increase in traffic volume in Torrance every year for the past 15 years, with close to a 5 percent increase last year, Ms. McAuley said she thought the supplemental traffic report would address this discrepancy.

Following clarification by the Mayor and staff as to the information provided in the supplementary traffic report (per the Council's direction at the November 24, 1987 meeting) and an explanation by Traffic Manager Vance as to the methodology used to determine the percent increase in traffic volume per year, Ms. McAuley voiced her opinion that the 1 percent figure should not be accepted as accurate, there being (according to Ms. McAuley) data available to show an increase of 3 percent per year since 1974.

Guidelines established by the California Environmental Quality Act (CEQA) relative to questions to be asked on the environmental checklist were next discussed by speaker McAuley. She referred to Page 26 of agenda material (Page 2 of the Initial Environmental Study) and alleged that the original and supplemental traffic studies are deficient because the environmental checklist does not include two questions set forth by CEQA. She read aloud the most important question omitted, in her opinion, relevant to consideration of traffic impact in residential areas:

Is there an increase in traffic hazards to motor vehicles, bicyclists or pedestrians?

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At the Mayor's request, Principal Planner Woodward explained, according to her understanding of CEQA, that each jurisdiction makes its own checklist to cover certain areas mentioned in the law. The City's check list is based on the law and the areas to be covered, she said, noting that specific questions are not called out by CEQA.

Mayor Geissert advised Ms. McAuley that any legal question as to CEQA legislation should have been posed at the Environmental Review Board hearing on this assessment held in March of 1987. The Mayor asked that comments be directed to the adequacy and accuracy of the traffic study and supplemental traffic study.

The next speaker, Brian Hannon, said his residence is one house from the corner of Ocean Avenue and 234th Street at 3910 West 234th Street.

At the Mayor's request, Traffic Manager Vance explained to Mr. Hannon that Ocean Avenue was designated a collector street some years ago, a collector street being one which collects traffic from a residential or commercial area and carries it out to an arterial street, in this case Pacific Coast Highway and Sepulveda Boulevard. The sequence of street designations, from lowest to highest, were set forth by Mr. Vance: local/residential, collector, secondary arterial, arterial, and major arterial. In response to another question, he advised Mr. Hannon that Anza Avenue is classified as a major arterial.

Mr. Hannon reported that the traffic counters were in front of his house (intersection of Ocean and 234th Street) on Tuesday, December 8 and Wednesday, December 9, 1987. It was his observation from the placement of these counters that certain of the turning movements were not counted. This speaker therefore proposed that the count on Ocean Avenue may already be over 10,000 per day.

Traffic Manager Vance explained that approach volumes are normally counted in intersections. It was conceded by Director of Transportation Horkay that the count could be off as much as 5 or 10 percent. Even given this variable, Mr. Horkay maintained that counts would not approach the figure of 10,000 cars per day.

Elaborating on the comments made by earlier speakers regarding the Meadow Park development, Page 9 agenda material (Page 6 of the supplemental traffic report), Mr. Hannon suggested a lot of people exiting this site during peak hours would avoid turning left on Lomita Boulevard, and would increase traffic on

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residential streets tremendously by turning right on Lomita Boulevard, right on Ocean Avenue, and proceeding north on Ocean to Sepulveda Boulevard or turning right at 230th Street.

Traffic on the subject residential streets would also be impacted, Mr. Hannon opined, by taxi and shuttle services from the airport, employees of the hotel and people in the area having meetings at the hotel who would enter the hotel property from the rear in order to avoid Hawthorne Boulevard.

Given the factors noted, Mr. Hannon alleged the traffic count on Ocean Avenue would exceed 10,000 per day, if that figure had not already been achieved, and suggested Ocean Avenue be considered for mitigation as a separate agenda item pursuant to the precedent set by other mitigation measures employed in south Torrance (right turn only, Lomita Boulevard onto Samuel Street; closure of Ocean north of Sepulveda).

It was the Mayor's request that staff give consideration to Mr. Hannon's suggestion.

Continuing, speaker Hannon mentioned his conversation with the School Board wherein he was advised that Meadow Park School has not been used since June 1986 except for summer school, which ended in August of 1986. He therefore disputed the December 1987 supplemental traffic report data attributing 360 vehicle trips per day to the school.

Director of Transportation Horkay responded to Councilman Applegate's direct question, confirming that the previous use of a property is applied as the basis for traffic counts when land is dormant.

There being no one else in the audience who wished to speak at this time, Councilman Walker moved that the public hearing be closed. Councilwoman Hardison seconded the motion and roll call vote was unanimously favorable.

Council Comments:

Mayor Geissert then entertained comments from individual Councilmembers.

Councilman Walker stated his opinion that there was sufficient information to send this matter forward to the Planning Commission.

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In response to Councilman Mock's inquiry, the City Attorney advised that, although there was a full range of options available to the Council, the project itself must be approved or disapproved within the three-month extension period granted by the proponent in order to comply with the one-year statute. It was therefore his suggestion that staff be asked to respond to additional questions raised and that this information be made available to the Planning Commission at the time of their review of this project.

Councilwoman Hardison stated her belief that the time extension granted by Mr. Fitzpatrick was valuable for obtaining additional traffic information and citizen input that will go forward with this case.

In reviewing the additional information, Ms. Hardison said she found the marketing study to be very inadequate for the purpose of providing information to the City.

Given the time constraints and the importance of allowing adequate time for Planning Commission review of the project, Ms. Hardison offered the following motion at this time.

MOTION: Councilwoman Hardison moved to deny the appeal and concur with the Negative Declaration in the matter of EA 87-2, CUP 87-9, THOMAS K. FITZPATRICK. Her motion was seconded by Councilman Mock. (This motion ultimately carried; see below.)

Council discussion continued.

Councilman Wirth echoed Ms. Hardison's comments, noting the importance of remarks by people who live in the area in addition to reports and studies. At Mr. Wirth's request, Planning Director Ferren estimated this item would come before the Planning Commission in 30 to 45 days and confirmed that people who testified at hearings on this item would be notified of the meeting date.

Although not all of the questions had been adequately answered, in his opinion, Councilman Nakano agreed this matter should move forward to the Planning Commission because of time constraints and indicated that he would vote in favor of the motion.

Roll call vote on Councilwoman Hardison's motion to deny the appeal and concur with the Negative Declaration was unanimously favorable.

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Additional Information Requested by Council:

Relative to cut-throughs in the project area and the need for mitigation, Councilwoman Hardison requested that staff provide a report and schedule this matter for review by the Traffic Commission.

Stating her opinion the video recording of meetings captures more the full "flavor" of what transpired than minutes do, it was suggested by Councilwoman Hardison that staff make available to the Planning Commission a video recording of excerpts from the meetings pertaining to this proposal.

Strong opposition to the precedent that would be set by such action was voiced by Councilman Applegate, it being his belief the Planning Commission's decisions should be independent of Council influence.

Agreeing with Mr. Applegate in theory, Councilwoman Hardison clarified that it was her desire to make available the citizen input on this item, but only with the concurrence of her colleagues.

Of the opinion that some of the Planning Commission members would be interested, Councilman Wirth said he had no objection to Ms. Hardison's suggestion on a voluntary basis.

MOTION: Councilwoman Hardison moved that Council proceedings on this request, particularly with reference to the citizens questions and comments, be made available if any of the Commissioners want to use it. This motion was seconded by Councilman Wirth. (This motion was later withdrawn; see below.)

Clarification that it was the Council's intent to have the traffic study and all other written material go forward with this case was requested by the City Attorney.

It being her assumption that all written material concerning this matter would automatically go forward to the Planning Commission, Councilwoman Hardison illuminated her intent to make available to interested Planning Commissioners a source of information other than written material, particularly with reference to citizen input. Ms. Hardison said she had no objection to the elimination of comments by the Council.

During the ensuing discourse, Mayor Geissert pointed out that video tapes of all Council meetings are available for review and Counsel Remelmeyer noted the importance of having all members of a deciding body receive the same information.

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Ultimately, Councilwoman Hardison WITHDREW her motion, and Councilman Wirth his second.

Mayor Geissert confirmed that all of the records of this proceeding, along with the minutes, would go forward to the Planning Commission. It was also her request that information be made available to the Planning Commission regarding the heights of buildings in the surrounding area.

In response to a question by Mayor Geissert, Planning Director Ferren elucidated that CUP 87-9, Fitzpatrick, would not be returned to Council unless the Planning Commission decision on this case is appealed.

Returning to agenda order, the Council entertained:

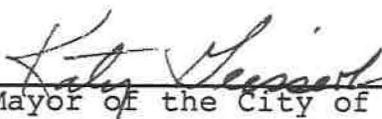
23. ADJOURNMENT:

MOTION: At 8:42 p.m., Councilman Applegate moved to adjourn the meeting to January 12, 1988, at 7:00 p.m. His motion was seconded by Councilman Wirth and carried without objection.

The meeting was adjourned in the memory of:

John Johnson, Jr.

* * *



Mayor of the City of Torrance



Clerk of the City of Torrance

Marlene Lewis
Minute Secretary

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