

I N D E X

TORRANCE CITY COUNCIL - APRIL 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 meeting at 5:38 p.m., on Tuesday, April 5, 1988, in the Council Chambers at Torrance City Hall, 3031 Torrance Boulevard.

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.

* * *

With expressed great sadness, Mayor Geissert announced the recent passing of four prominent people who, each in his own way, played a significant role in the City of Torrance.

Glenn Weaver

Former City Engineer (with the City 20 years)

Elinor Massey

Civil Service Commissioner (5 years)

Rebecca Flod

Wife of Management Assistant Gary Flod

Frances Bryant

Founding member of the Torrance Kitchen Band

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It was the Mayor's request that this meeting be adjourned in memory of all four of these individuals.

* * *

3. FLAG SALUTE/INVOCATION:

Senior Citizens Council Member Betsy Matthews led in the Salute to the Flag.

The invocation for this meeting was provided by Pastor Charles Bullock, Torrance Church of the Nazarene.

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

MOTION: Councilman Applegate moved for the approval of the City Council minutes of March 1 and March 9, 1988. His motion was seconded by Councilwoman Hardison 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 the agenda for this meeting, 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, seconded by Councilwoman Hardison, carried by unanimous roll call vote.

5. MOTION RE POSTING OF AGENDA:

MOTION: Councilman Applegate, seconded by Councilwoman Hardison moved to accept and file the report of the City Clerk on the posting of the agenda for this meeting. The motion carried by unanimous roll call vote.

6. ANNOUNCEMENT OF WITHDRAWN OR DEFERRED ITEMS:

City Manager Jackson announced the withdrawal of the following items:

City Council Agenda:

- 10c. Allocation of Funds for Airport Taxiway
Pavement Improvement (to be returned)

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17b. Leave of Absence Request - Civil Service
Commission

17d. Reorganization Plan - Transportation Department
(to be returned)

Redevelopment Agency Agenda:

3b. Legal and Appraisal Specialists for
Murray Hotel Acquisition (Downtown)

7. COUNCIL COMMITTEE MEETINGS:

Councilman Applegate announced:

Citizen Development and Enrichment Committee Meeting
(To meet with members of Torrance Unified School
District and Board of Education)

Date: Wednesday, April 6, 4:30 p.m.
Topics: Victor School Lighting Agreement;
Update on Vine Street, Farmers' Market
and Paragon Cable; and Teen-Age Safe
Driving

Councilman Nakano announced:

Finance and Governmental Operations Committee Meeting

Date: Tuesday, April 12, 6:00 p.m.
Subject: Capital Budget

Councilman Mock announced:

Ad Hoc Rose Float Committee Meeting

Date: Tuesday, April 12, 5:30 p.m.
Subject: 1989 Rose Float Design Selection

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8. COMMUNITY MATTERS:

Considered out of order

8b. RESOLUTION COMMENDING ASSISTANT AIR TRAFFIC CONTROL
TOWER CHIEF JOHN HUDSON:

At the Mayor's request, City Clerk Wilson assigned a number and read title to:

RESOLUTION NO. 88-82

A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF TORRANCE, CALIFORNIA, COMMENDING RETIRED
ASSISTANT AIR TRAFFIC CONTROL TOWER CHIEF
JOHN HUDSON FOR HIS MANY YEARS OF DEDICATED
SERVICE TO THE FEDERAL AVIATION ADMINISTRATION
AND ASSISTANCE TO THE CITY OF TORRANCE

MOTION: Councilman Nakano moved to adopt Resolution No. 88-82. The motion was seconded by Councilman Wirth and carried by unanimous roll call vote. (This resolution was subsequently presented to Mr. Hudson; see below.)

The Council then returned to regular agenda order

8a. PRESENTATION TO VELMA HARBER:

Invited by the Mayor to join her at the podium, retiring Senior Citizens Councilmember Velma Harber was presented with a plaque in appreciation of her 12 years of dedicated service to the community.

Ms. Harber was present to accept this honor with expressed gratitude and briefly commented on the growth of the Senior Citizens Council during her tenure.

8b. RESOLUTION COMMENDING ASSISTANT AIR TRAFFIC CONTROL
TOWER CHIEF JOHN HUDSON

Mr. John Hudson was now asked to join Mayor Geissert at the podium while she read aloud the resolution unanimously adopted by the City Council earlier (see above) expressing appreciation for his many years of dedicated service to the Federal Aviation Administration and assistance to the City of Torrance.

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Following the Mayor's presentation, Mr. Hudson expressed his delight in having this honor bestowed upon him and acknowledged the great cooperation he received during the past 15 years from the Department of Transportation and Airport staff -- Director of Transportation Art Horkay and Airport Manager Jock Cagaanan, in particular.

8c. PROCLAMATION PROCLAIMING APRIL 10 - 16, 1988
AS "BUILDING AND SAFETY WEEK":

Mayor Geissert proclaimed April 10 - 16, 1988 as "Building and Safety Week" and urged the citizens of Torrance to visit the Building and Safety Department and better familiarize themselves with information and services.

Director of Building and Safety Ralph Grippo was present and accepted this proclamation with expressed thanks on behalf of the Department and its dedicated staff.

8d. PROCLAMATION PROCLAIMING APRIL 17 - 23, 1988,
AS "NATIONAL LIBRARY WEEK":

April 17 - 23, 1988 was proclaimed "National Library Week" by Mayor Geissert and citizens were urged to obtain library cards during this time.

City Librarian Jim Buckley accepted this proclamation with expressed gratitude on behalf of his staff and encouraged everyone to take advantage of this special "fine free" week.

8e. PROCLAMATION PROCLAIMING APRIL AS "OCCUPATIONAL
THERAPY MONTH":

The month of April was proclaimed as "Occupational Therapy Month" by Mayor Geissert in recognition of the achievements and contributions of Occupational Therapists.

This proclamation was received with expressed appreciation by Faith Coleman, Director of Rehabilitation, and Paul Zulak, Little Company of Mary Pavilion.

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8f. PROCLAMATION PROCLAIMING MAY 7, 1988, AS
"MAKE-A-WISH FOUNDATION DAY":

May 7, 1988 was proclaimed "Make-a-Wish Foundation Day" by the Mayor, who urged support of the Celebrity Sports Festival at the South End Racquet and Health Club, the proceeds of which will go to the Foundation, an organization that grants wishes to terminally ill children.

Present to accept the proclamation on behalf of the Foundation and the children that it serves was Police Sergeant Ron Traber, who expressed appreciation to the Mayor and Council for their support.

Proclamation not appearing on the agenda . . .

8g. PROCLAMATION PROCLAIMING APRIL 11 - 15, 1988, AS
"PUBLIC SCHOOLS WEEK":

Mayor Geissert so proclaimed April 11 - 15, 1988, as "Public Schools Week," urging all citizens to participate in observances in support of school administrators, teachers and students.

John Couter of the Masonic Lodge in Torrance accepted this proclamation. The Mayor, City Council and general public were extended an invitation by Mr. Couter to attend the Science Fair on April 13, 1988.

9. LIBRARY/PARKS AND RECREATION MATTERS:

9a. NIGHTLIGHTING AGREEMENT -- VICTOR SCHOOL SITE:

RECOMMENDATION:

It is the recommendation of the Parks and Recreation Director that your Honorable Council approve the Letter of Agreement between the City of Torrance and the Torrance Unified School District for the nightlighting at Victor School and authorize the Mayor to sign said Agreement.

MOTION: Councilman Applegate, seconded by Councilman Walker, moved to concur with the recommendation of the Parks and Recreation Director on Item 9a. Roll call vote was unanimously favorable.

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10. TRANSPORTATION/PUBLIC WORKS MATTERS:

10a. JOHN JONES' APPEAL OF DENIAL OF LEASE EXTENSION:

RECOMMENDATION:

The Department of Transportation recommends the City Council deny John Jones' request to extend his lease agreement for six hangars and that ownership of the hangars revert to the City at the expiration of the lease on April 30, 1988.

Background to this appeal was provided by Airport Manager Cagaanan, who related the City Council's policy calling for all hangars to become City-owned and operated upon the expiration of leases in order to maintain the 825 based aircraft count and facilitate enforcement of Airport rules and regulations.

Responding to Councilman Nakano's inquiries, Director of Transportation Horkay reported that a lease extension has never been given for T-hangars, to his recollection. Mr. Horkay further acknowledged Mr. Nakano's observation that this takeover would represent an increase in City revenue of approximately \$14,000 per month.

In answer to Councilwoman Hardison's question, Airport Manager Cagaanan advised that these six hangars would be incorporated by Change-Order into the contract for refurbishing hangars.

Mr. John Jones, 28950 Crestridge Road, Rancho Palos Verdes, came forward to state his understanding that a clause in his lease agreement with the City legitimates his request for a one-year extension on the six hangars.

The provision referenced by Mr. Jones, it was elucidated by City Attorney Remelmeyer, is standard to all leases and does not mean that an extension will be granted. It was understood that the City would exercise reversionary rights upon expiration at the time these leases were given to people in the private sector, Mr. Remelmeyer explained; and nothing had been said or done, to his knowledge, to indicate an extension would be granted.

Councilman Applegate read aloud, "If the lessee shall hold over the period . . .," and observed that the lease has expired and the City has no desire to "hold over." The City's policy of taking over the hangars and the purpose thereof is, he felt,

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common knowledge. Therefore Mr. Applegate said he saw no alternative but to support the recommendation of the Department of Transportation and he offered the following.

MOTION: Councilman Applegate moved to concur with the recommendation of the Department of Transportation on Item 10a. Councilman Mock seconded the motion and roll call vote was unanimously favorable.

10b. REQUEST TO OPERATE A BANNER TOWING OPERATION AT TORRANCE AIRPORT:

The staff report, as distributed, was reviewed by Airport Manager Cagaanan at the Mayor's request. Conveying the Department of Transportation's recommendation that the City Council adhere to the existing banner towing policy and deny the request to allow Pacific Drifters Corporation to operate a banner towing business at Torrance Airport, Mr. Cagaanan provided the following information:

- That there are currently three banner towers in the City of Torrance, the maximum number allowed pursuant to existing policy established by the Department of Transportation.
- That the Land Management Team has established restrictive policies pending the master plan development of fixed base operator sites.
- That a letter was received from Emma J. Dotson, Control Tower Chief, expressing her concerns regarding an additional banner towing operation at Torrance Airport.
- That (in response to the Mayor's query) there are other banner towing requests currently on file.

Next to address the Council was Douglas Stavoe (of Pacific Drifters Corporation), 1718 Esplanade, Redondo Beach, who introduced his wife and business partner, Monica, and submitted (for the record) documentation supporting his request.

Mr. Stavoe clarified that Airport Manager Cagaanan is not opposed to his towing banners out of Torrance Airport and has suggested they operate under the transient towing policy rather than trying to seek an agreement with the City, the difference being in the manner revenue is paid to the City.

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Referring to the documentation he submitted, proponent Stavoe communicated points to substantiate his position; that is, their support of the Airport and the Community as local residents; their sensitivity to the concerns of the public; their concern about safety and compliance with requirements; their efforts in contacting pertinent parties; and their commitment to this business.

It was stressed by Mr. Stavoe that he was told of the current policy allowing three banner towers by Airport Manager Cagaanan and had been working within that framework to meet the City's requirements. However, he argued that there are not three current operating agreements in force and stated his reasons for this conclusion essentially as set forth below:

- Using the telephone number given him by Airport Manager Cagaanan, he could not contact James A. Philpott (one of the three existing banner towers) for a month, which indicates this is not an active business, in his opinion.
- When he did contact Mr. Philpott, Mr. Philpott referred him to Bob Marks of Banner Time (another banner towing company).
- In his letter to the Airport Manager (March 29, 1988, of record) Mr. Philpott indicated that he does not intend to be an active banner towing business and does not exercise that privilege on a regular basis.
- Correspondence from Star Ads (of record) dated June, 1985, indicates (last paragraph) that Mr. Philpott's lease was "rarely utilized."
- The impression he received from his conversation with the third banner towing business in the City, (Cal-Air Advertising Company) is that the owner lives out of the area and has banner towing privileges at another airport as well.
- There is, in effect, one banner operation operating out of Torrance Airport -- not a competitive situation, in his opinion. (Mr. Stavoe alluded to the existence of a monopoly.)

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The petitioner then set forth his reasons for believing he should be allowed to have a banner towing agreement with the City:

- When he met with Emma Dotson, Control Tower Chief, on March 16, she indicated there would be no problem with the allowance of his banner towing operation as long as there is "an open line of communication," which is his intent.
- The Department of Transportation has no objection to his operating a banner towing business out of the Torrance Airport. The question is the method of payment, transient fee versus agreement, and transient fees are cost prohibitive to a new business.
- This issue was before the Airport Commission on March 17, 1988 and it was recommended (he read aloud his account of the Airport Commission's action):

We recommend to the City Council that the applicant's request be approved subject to the condition that it be determined that one or more of the three existing agreements is not being effectively exercised and that there are no prior claims to potentially vacant permits among the limit of three. That is to say if there is an effective vacancy within the policy of three permits for banner towing, we recommend that Mr. Stavoe's request be approved.

- The Airport Commission's action was specific to his request and carried by a six to one vote. The one dissenting vote was by Commissioner McKee, who objected to placing conditions on the approval.
- The status of other applications for banner towing out of Torrance Airport is questionable: that is, communications (of record) indicate there is no continuity of interest; responses were solicited by the Airport Manager; banner towing is not the primary concern in at least one instance; and none of the applicants filed an application, paid the fee or pursued their right to appeal denial.

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During his presentation, Mr. Stavoe corrected information contained in the agenda item of record (Requirement No. 4 under "Background") advising that the existing lease agreements call for either a minimum payment of \$240.00 per year or 5 percent of the gross annual revenues of all operations from the Torrance Municipal Airport. He said he was unable to verify compliance by the existing banner towers.

Having completed his presentation the petitioner responded to Council inquiries.

For the benefit of Councilman Wirth, Appellant Stavoe described the type of aircraft he would use for his banner towing operation, if approved, and Airport Manager Cagaanan confirmed said aircraft would be suitable for this use and would pose no particular noise problems.

It was Councilman Applegate's observation:

- That the City has established a policy of three slots for banner towing businesses and those three slots are currently occupied.
- That other people have expressed an interest in having a banner towing business in the City, placing Mr. Stavoe's request at the end of the line.
- That there may be a need to establish a "use it or lose it" policy for banner towing agreements with minimum standards of operation in the future.
- That the fact Mr. Stavoe appealed gave him no vested interest over and above the other interested parties.

The following motion was offered by Mr. Applegate.

MOTION: Councilman Applegate moved to concur with the Airport Manager, grant the appeal of staff and deny the motion by the Airport Commission. Commissioner Wirth seconded the motion. (This motion ultimately carried; see Page 14.)

Mr. Applegate went on to say that he would, as a separate matter, ask to establish a criteria of "use it or lose it" in terms of occupying the three banner towing slots to assure that someone is not just holding a slot and not using it. If such action were to create an opening for Mr. Stavoe, after going through the waiting list, Mr. Applegate said he would then deem

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that to be appropriate. However, the other applicants accepted that the three slots were occupied and he saw no real reason to jump Mr. Stavoe in line based on information presented.

For the purpose of clarification, Airport Manager Cagaanan explained that when Mr. Lopez, in 1985, and Mr. Dobry, in 1987, approached him about establishing banner towing businesses at the Airport, he told them the City's policy and explained to each of them that they could place their names on a waiting list or, if they wished to appeal his denial, it would be necessary to file a formal application. Mr. Stavoe was given the same information and chose to file an application, Mr. Cagaanan said, while Mr. Lopez and Mr. Dobry chose just to place their names on the waiting list.

Regarding the position of the three banner towers currently in the City, Airport Manager Cagaanan reported that, upon being contacted by his office, each one of them made a statement to the effect that he would not care if the City added more banner towers, but did not want to give up his right to tow banners in the City.

In agreement with Mr. Applegate's recommendation, Mayor Geissert voiced her opinion there should be a cap on the number of banner towers, but also guidelines for minimum operation.

Councilman Walker supported the motion on the floor, but applauded Mr. Stavoe for his initiative and hard work.

Councilwoman Hardison said she supported the motion, having no problem with reviewing the activity of current banner towers or developing criteria therefor. However, Ms. Hardison said she would have great difficulty with allowing anyone to bypass people on a waiting list.

While he had no objection to reviewing the current banner towing operations Councilman Wirth, said he did not want to encourage or increase banner towing in the City unless all safety aspects and noise issues have been addressed.

In response to a question by Councilman Walker, Airport Manager Cagaanan confirmed that all three banner towing operations in the City have met all requirements.

Mr. Jim McEntyre, 3910 West 234th Place, representing the Southwood Riviera Homeowners Association as president of that organization, supported a status quo position on banner towing in the City as "reasonable."

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Referring to the correspondence (of record) from Air Traffic Manager Emma Dotson (Pages 10 and 19 of this agenda item), Mr. McEntyre advised that the citizens of South Torrance share her concerns regarding safety and the fact that banner towing activity tends to take place during peak traffic periods.

Directing attention to Page 20 of agenda material (memorandum of February 22, 1988, of record, from the Environmental Quality Administrator) Mr. McEntyre concurred with the observation that planes towing banners fly low to achieve visibility and residents perceive this as noisy and dangerous as well as an invasion of privacy.

Additional banner towing activity in the City was opposed by Speaker McEntyre for reasons of safety, noise and privacy.

Responding to his inquiry, Airport Manager Cagaanan advised Councilman Mock that Compton is the only other airport in the area that allows banner towing.

For the benefit of Councilman Nakano, Mr. Cagaanan clarified that banner towing is not allowed at Santa Monica or El Monte for reasons of safety and congestion (information in agenda material of record, Attachment D) because of the constraints at those particular airports. The same situation would not be applicable to Torrance Airport, Mr. Cagaanan assured him, because there is more space.

Next to address the Council was Mario Lopez, 2722 Loftyview Drive (south of Torrance Airport on the down-wind of runway 29L), who advised that he has been in the aerial advertising business for the past 10 years, presently working out of Long Beach, and has had no citations or incidents in approximately 1,000 hours of flying time. On the waiting list for banner towing, Mr. Lopez confirmed that he requested the next available slot at Torrance Airport of his own volition. Mr. Lopez verified his continued interest in obtaining a slot in Torrance and noted that 90 percent of his work involves the use of an electronic billboard, which does not require special runway utilization.

Bob Dobry, 11 Greenbow, Irvine, a banner tower operating out of Chino for the past five years with no citations or incidents on his record, also clarified that Airport Manager Cagaanan did not solicit his initial contact concerning the possibility of banner towing out of Torrance. Mr. Dobry affirmed his continued desire to obtain a banner towing slot at Torrance Airport and voiced his support of Councilman Applegate's posture of "use it or lose it" for such agreements.

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Another member of the Southwood Homeowners Association, Mr. Edward Wooley, 23207 Ocean Avenue, questioned the ability of an aircraft to operate as safely when towing banners. He was advised by the Airport Manager that in the governing body's opinion (FAA) it is safe to operate an aircraft in that manner.

There being no further comments at this time, Mayor Geissert called for a vote. THE MOTION (to concur with the Airport Manager, grant the appeal of staff and deny the Airport Commission's motion) CARRIED by unanimous roll call vote.

Councilman Applegate requested that the Airport staff return with a recommendation to the Airport Commission to review the current operation of the banner towers in terms of frequency of use, the number of operators and additional criteria and look into the possibility of a "use it or lose it" policy on banner towing agreements with the City. Mr. Applegate discussed the possible need for this issue to be sent to Committee before being returned to the City Council.

Mr. Applegate's request was supported by Mayor Geissert, who also requested more information on the subject of banner towing.

It was Councilman Nakano's recommendation that correspondence from the FAA (of record) indicating there may be safety problems with additional banner towing at Torrance Airport be taken into consideration relative to the number of banner towers to be allowed. The Airport Manager assured him this would be a part of the item to be returned.

10c. AIRPORT TAXIWAY PAVEMENT IMPROVEMENT

Withdrawn; see Page 3.

10d. APPROVAL OF FINAL TRACT MAP NO. 38135, WESCO HOMES:

RECOMMENDATION:

The Engineering Department recommends that Final Tract Map 38135 be approved, all conditions imposed on the Tentative Map having been met.

MOTION: Councilman Applegate moved to concur with the recommendation of the City Engineer on Council Agenda Item 10d. His motion, seconded by Councilwoman Hardison, carried by unanimous roll call vote.

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17. ADMINISTRATIVE MATTERS:

17a. NEW OUTSIDE ATTORNEY'S CONTRACT - BURKE, WILLIAMS AND SORENSEN:

City Clerk Wilson, at the Mayor's request, read number and title to:

RESOLUTION NO. 88-83

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE APPROVING AN AGREEMENT WITH THE LAW FIRM OF BURKE, WILLIAMS & SORENSEN TO PROVIDE THE CITY WITH SPECIAL COUNSEL SERVICES FOR CERTAIN LITIGATION, PUBLIC POLICY, REAL ESTATE AND PUBLIC WORKS MATTERS

MOTION: Councilman Nakano, seconded by Councilwoman Hardison, moved for the adoption of Resolution No. 88-83. Roll call vote on the motion was unanimously favorable.

17b. REQUEST FOR LEAVE OF ABSENCE FOR CIVIL SERVICE COMMISSIONER:

Withdrawn; see Page 3.

Considered out of order . . .

22. ORAL COMMUNICATIONS:

22a. It was Mayor Geissert's request that there be special recognition, by way of a resolution, of Elinor Massey's five years of service as a Civil Service Commissioner.

22b. Mayor Geissert observed that interviews for vacancies on the Planning Commission and Senior Citizens Council are scheduled for May 3, 1988 and she asked that the vacancy on the Civil Service Commission be advertised to allow for those interviews to take place at the same time.

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Returning to regular agenda order . . .

17c. RESOLUTION OF APPROVAL FOR PP 87-28: ROUH TYAN BOW:

At the Mayor's request, City Clerk Wilson assigned a number and read title to:

RESOLUTION NO. 88-84

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 CONSTRUCTION OF A SECOND STORY ADDITION TO AN EXISTING FAMILY RESIDENCE IN THE HILLSIDE OVERLAY DISTRICT IN THE R-1 ZONE ON PROPERTY LOCATED AT 427 PASEO DE LAS ESTRELLAS
PP 87-28: ROUH TYAN BOW

MOTION: Councilman Nakano moved to adopt Resolution No. 88-84. The motion was seconded by Councilman Walker.

Prior to a vote, City Attorney Remelmeyer affirmed his agreement with the content of this resolution. The motion carried by majority roll call vote as follows:

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

NOES: Councilman Wirth.

17d. REORGANIZATION PLAN - TRANSPORTATION DEPARTMENT -
TRANSFER OF COMMUNICATIONS PROGRAM:

Withdrawn; see Page 3.

17e. EXECUTIVE SESSION:

Deferred; see Pages 25 and 26.

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18. SECOND READING ORDINANCES:

18a. ORDINANCE NO. 3225:

City Clerk Wilson read number and title to:

ORDINANCE NO. 3225

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING SECTION 92.2.11 OF THE TORRANCE MUNICIPAL CODE, DEALING WITH PARKING SPACES FOR FOOD AND BEVERAGE ESTABLISHMENTS

MOTION: Councilman Nakano moved for the adoption of Ordinance No. 3225 at its second and final reading. Councilwoman Hardison seconded the motion and roll call vote was unanimously favorable.

20. CONSENT CALENDAR:

20a. AWARD OF CONTRACT TO REROOF CITY PERSONNEL BUILDING:

Reference: Bid No. B88-19
Expenditure: \$55,134, including tax

RECOMMENDATION:

It is the recommendation of the Director of General Services that Council approve of the award of a contract to reroof the City's Personnel Building to the low bidder, the Bryant Organization of Carson, California, in the total amount of \$55,134.00 including tax.

20b. AWARD OF CONTRACT FOR THE SOLE SOURCE PURCHASE OF AN ELECTRONIC SCALE FOR THE CITY MAIL ROOM:

Expenditure: \$5,601.90, including sales tax

RECOMMENDATION:

The Purchasing Division recommends the City Council authorize the award of contract to furnish a Pitney Bowes Electronic Scale to the sole source manufacturer Pitney Bowes of Carson, California in the amount of \$5,601.90, including tax.

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20c. APPROVAL OF SALE, DISMANTLING AND REMOVAL FROM CITY AIRPORT PROPERTY OF THE ASTRONAUTICS HANGAR:

Location: 2945 Earhart Apron
Reference: Bid No. B88-17
Sale Price: \$101.00

RECOMMENDATION:

The Purchasing Division recommends the City Council approve the sale, dismantling and removal of the Astronautics Hangar from the City Airport property to the sole high bidder, the Gerardin Corporation of Torrance, California in the amount of \$101.00.

20d. REQUEST TO ADD ADDITIONAL ADMINISTRATIVE VEHICLE TO VEHICLE BID:

Regarding: Purchase of new 1988 budgeted vehicle
Reference: Bid No. B88-10
Expenditure: \$13,123.36, including tax

RECOMMENDATION:

The Purchasing Division recommends the City Council authorize the award of a contract for the purchase of an additional administrative vehicle to Beach City Chevrolet of Long Beach, California in the amount of \$13,123.36.

20e. AWARD OF CONTRACTS FOR BUDGETED REPLACEMENT VEHICLES:

Regarding: Purchase of new 1988 budgeted replacement vehicles (trucks)
Reference: Bid No. B88-11
Expenditure: \$147,437.33, including tax

RECOMMENDATION:

It is recommended that the following award of contracts be made:

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Item No. 1.

Allen GMC Truck
Laguna Niguel, CA

<u>1 ea. truck</u> - 2 axle with 3 cu. yd. dump body, diesel with conventional cab, GMC C7D042, in accordance with the Invitation to Bid vehicle specifications.	\$27,492.00
Optional Tilt Hood	<u>535.00</u>
Sub-total	\$28,027.00
Sales tax	<u>1,821.76</u>
TOTAL PRICE	\$29,848.76

Item No. 2.

L.A. Freightliner
Whittier, CA

<u>4 ea trucks</u> - cab and chassis with conventional cab (2 axle) with dumping flatbed stake body, <u>diesel</u> in accordance with the Invitation to Bid vehicle specifications.	\$108,271.80
Optional Tilt Hoods (4 ea.)	<u>2,140.00</u>
Sub-total	110,411.80
Sales Tax	<u>7,176.77</u>
TOTAL PRICE	<u>\$117,588.57</u>

MOTION: Councilman Applegate moved to approve Consent Calendar Items 20a through 20e. Councilwoman Hardison seconded the motion and roll call vote was unanimously favorable.

* * *

Councilman Applegate moved to convene in joint session with the Redevelopment Agency at 7:11 p.m. At 7:13 p.m., the Council returned to regular Council agenda order, remaining in joint session for the purpose of a joint executive session to be held later in the evening

* * *

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22. ORAL COMMUNICATIONS (Continued):

22a. and 20b. were heard earlier; see Page 15.

22c. Elaborating with expressed sadness on the loss of the former City Engineer, City Manager Jackson recalled that Glenn Weaver was a special member of the City, whose mellowing influence and gentlemanly attitude lent a great deal to the executive staff at a difficult time, and noted that he will be greatly missed.

22d. City Attorney Remelmeyer concurred with the City Manager's sentiments on the loss of Glenn Weaver.

22e. Council action was requested by City Attorney Remelmeyer to add an additional item to the list of executive session considerations for this meeting (see motion on Page 25).

22f. It was requested by Councilman Wirth that the Traffic Commission review the traffic situation on Newton Street between Hawthorne Boulevard and Vista Montana and that residents along Newton Street be notified accordingly.

22g. Citizen Gail Bedinger, 4011 West 232nd Street, shared her concerns, and those of her neighbors, regarding the issue of safety in light of the recent rash of plane crashes in the City. She recommended:

- That the Torrance Airport inspect all planes that take off for properly functioning equipment; and
- That the Torrance Airport be self-supporting -- supported by those who fly out of the Airport and not by tax dollars.

In response to inquiries by Mayor Geissert as to what action will be taken as a result of the recent plane accidents, Director of Transportation Horkay reported that a tentative report providing the history of Airport incidents over the last ten years was issued to Council this date; that staff will work more closely with the Federal Aviation Agency and the new tower chief who are responsible for setting policies and guidelines; and that he would report back to the Council in this regard.

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Finance Director Giordano confirmed the Mayor's understanding that the Airport is not supported by money from the General Fund; and, conversely, funds from the Airport are transferred to the General Fund for other uses.

22h. A report from staff on their work with the FAA regarding Airport safety was requested by Councilman Wirth, who voiced his personal belief that the City is doing everything within its means to protect the safety of its residents.

22i. Councilwoman Hardison requested a year-by-year breakdown of the history of accidents at the Airport and information concerning the causes.

22j. Chairman of the Airport Committee of the Southwood Riviera Homeowners Association, Citizen Paul Jacobsen, 22937 Audrey, reported that although three airplane crashes in five days possibly represents an aberration, it underscores the problems and fears of the community. Mr. Jacobsen conveyed the following comments and recommendations:

Comments:

- Regarding the first accident, the pilot violated curfew and possibly other regulations and was not cited, which, in his opinion, invalidates the curfew regulation.
- Regarding enforcement, there appears to be a disparity when regulations allow planes to fly over residences at 6:30 a.m., but prohibit residents from mowing their lawns before 7:30 a.m.

Recommendations:

- At the March 29 Council meeting it was brought up that there are exemptions to the curfew. The current list of curfew exemptions should be reviewed and monitored.
- Permanent noise exemptions should not be allowed. Instead, an annual exemption should be granted and/or reviewed and monitored -- possibly by the Airport Commission -- and the Airport Manager should be allowed to grant one-time exemptions with timely written notification to the responsible body.

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- The possibility of implementing, in addition to curfew signs, signs that would visually depict and describe the noise procedures for departing from Torrance Airport should be considered. (The use of such signs at other airports was explained by this speaker).

During his presentation, Mr. Jacobsen requested a copy of the report on the first airplane accident and conclusions drawn therefrom.

In closing, speaker Jacobsen suggested that some provision for monitoring and a pro-active approach to noise abatement and curfew be implemented by the Airport Commission to help make citizens feel more comfortable about safety at the Airport. He readily agreed to comply with the Mayor's request that his comments be submitted to staff in writing.

Cognitive staff members responded to a volley of inquiries by Mayor Geissert.

Director of Transportation Horkay reiterated the Airport Manager's earlier explanation that the current policy of allowing one warning is aimed at educating pilots and there is rarely a second violation once people are warned. Relative to the first of three accident in question, Mr. Horkay explained that no decision had been made as to whether or not the pilot will be cited for violations.

Airport Manager Cagaanan verified that runway 29L, the one used by the pilot involved in the subject accident, is not supposed to be active during the hours the control tower is not in operation and advised that this information would be conveyed to the investigating body.

Relative to curfew exemptions, Mr. Cagaanan explained: that there are presently 35 aircraft with permanent exemptions; that such permits are issued on the basis of individuals applying for business purposes who work out of the area and have to fly to their business early in the morning; that permits are granted only after the aircraft is flight tested or it is determined there is empirical data on file at the Noise Abatement Center to verify this aircraft will be able to comply with noise limits; that, once issued, the permit has no time limit; and that a pilot is notified by him and by the Noise Abatement Center that his exemption is in jeopardy if a noise violation occurs.

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The issue of exemptions, Director of Transportation Horkay pointed out, was recently reviewed by the Airport Commission. He suggested the information given the Airport Commission could be updated and returned to Council.

22k. In terms of the curfew, a full report to the Council on the action taken relative to the plane crash of issue (first of three) was requested by Councilman Mock.

22l. Councilman Wirth requested a memorandum from staff identifying existing signs at the Airport.

Responding to Mr. Wirth's query, Airport Manager Cagaanan reported that signs at the Airport were modified extensively in response to an earlier Councilmanic request but operational problems were encountered relative to the number of signs the FAA would allow in certain areas. Mr. Cagaanan felt it would be impossible to put everything people want to see on signs at the approaches of runways and still meet FAA criteria.

22m. Information regarding the number of and reasons for exemptions, particularly with reference to the number of people who regularly fly from Torrance to a job at another location, was requested by Councilwoman Hardison.

22n. In agreement that there should be some type of periodic review of exemptions, Councilman Applegate concurred that a procedure should be established.

22o. Mr. Edward Wooley, 23207 Ocean Avenue (vice president, Southwood Riviera Homeowners Association):

- Reiterated earlier comments (March 29 Council meeting) that residents were pleased with City services following the airplane crash.
- Re-emphasized (March 29 Council meeting) his desire, and that of his neighbors, that Airport control remain with the City Council to ensure residents will have an opportunity to be heard.
- Requested that plans and options be brought forward for the improved safety, environmental management and economics of the Airport prior to the budget process, if possible.

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- Suggested Airport-related costs to the City, such as those associated with increased traffic, should be recovered in fees and used for increased safety measures and environmental control at the Airport.

Finance Director Giordano affirmed, at the Mayor's request, that the Airport would be among the departments included in a pending comprehensive study of user fees and that a portion of that report would be finished by budget time.

22p. Complaining that planes have flown over his home at 4:45 a.m. and 3:15 a.m., Al Kopec, 22939 Adolph, said these aircraft had not violated noise regulations and the Noise Abatement Center was unaware the flights had taken place when he called for information. He asked how it is ascertained that such flights are authorized.

The Mayor requested information, in response to which Airport Manager Cagaanan advised:

- That the majority of pilots making early morning flights have exemptions.
- That had the pilot involved in the first accident asked, he would have been denied an exemption and advised of the penalty for violation.
- That Airport Operations is in effect 24 hours a day and there is a duty man from 10:00 p.m. until 6:00 a.m. whose primary duty is to safeguard the property of the City of Torrance and also to record any aircraft that take off or land.
- That usually, between tapes and visual observation, there is a good record identifying departing flights.
- That the flight involving the subject crash was recorded on tape.
- That he concurs (with the observation of the City Manager) that a resident should be able to talk to Airport Operations to identify who took off at any given time and this information can be cross-referenced with the list of exemptions and violations.

Mr. Kopec said he was unable to get this information and he was referred to the Airport Manager for direction as to the correct person to contact.

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The Council now returned to . . .

17e. EXECUTIVE SESSION:

The City Council/Redevelopment Agency having remained in joint session, Mayor/Chairwoman Geissert read the following statement into the record at this time:

The City Council will now recess to closed session to confer with the City Attorney regarding current litigation entitled Benjamin Hitchens v. City of Torrance, Los Angeles Superior Court Case No. SWC 82522. Authority for holding an executive session for this purpose is contained in Government Code Section 54956.9(a).

We will also confer with the City Manager and/or the City Attorney regarding salaries, salary schedules and compensation for certain unrepresented employees and represented employee groups as well as certain personnel matters. Authority for holding an executive session for this purpose is contained in Government Code Section 54957.6(a) and 54957.

We will also confer, as the Redevelopment Agency, with Agency Counsel regarding the exercise of option by Frank Scotto to purchase Agency owned property located on Plaza Del Amo and Abalone Street, south of the proposed 223rd Street. Authority for holding an executive session for this purpose is contained in Government Code Section 54956.8.

City Attorney Remelmeyer restated his earlier request (see Page 20, Item 20e) for Council action to ad an item to executive session concerning the hillside slope failure.

MOTION: Councilman Wirth moved that the matter of obtaining liability insurance or providing indemnity for some or all of the firms working on the hillside slope repair be considered tonight in closed session due to the potential litigation involved. He further moved that Council find that this subject matter arose after the time of posting the agenda for tonight's meeting. His motion was seconded by Councilman Walker.
(This motion was amended and carried by unanimous roll call vote; see Page 26.)

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For the record, City Attorney Remelmeyer advised that this matter also relates to actual, ongoing litigation, Fred Smith v. City of Torrance.

Councilmen Wirth and Walker agreed to SO AMEND THE MOTION and roll call vote was unanimously favorable.

The following statement was then read by the Mayor/Chairwoman pertaining to the joint executive session to be held:

In addition [to the considerations already mentioned] we [the City Council] will confer with the City Manager and the City Attorney regarding the matter of obtaining liability insurance or providing indemnity for some or all of the firms working on the hillside slope repair between Vista Largo and Via Corona. Authority for holding an executive session for this purpose is contained in Government Code Section 54956.9(b).

The Council/Agency recessed to a joint executive session at 7:50 p.m., returning to chambers at 8:50 p.m. Mayor/Chairwoman Geissert announced that the Council/Agency had met in executive session for the purposes announced. No action was taken as a result of this executive session.

23. ADJOURNMENT:

MOTION: At 8:51 p.m., Councilman/Agency Member Applegate moved for the adjournment of both bodies (City Council and Redevelopment Agency) to April 12 at 7:00 p.m. His motion, seconded by Councilwoman Hardison, carried without objection.

Adjournment was dedicated in memory of:

FRANCES BRYANT

REBECCA FLOD

ELINOR MASSEY

GLENN WEAVER

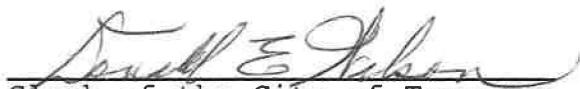
* * *

Marlene Lewis
Minute Secretary

City Council
April 5, 1988



Mayor of the City of Torrance



Clerk of the City of Torrance

Marlene Lewis
Minute Secretary

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