

Torrance, California  
May 13, 1952

MINUTES OF A REGULAR MEETING  
OF THE CITY COUNCIL OF  
THE CITY OF TORRANCE.

AGA280

The City Council of the City of Torrance convened in a Regular Meeting in the Council Chamber of the City Hall on Tuesday, May 13th, 1952, at 8:07 P.M., Mayor Schwab presiding.

Those responding to roll call by City Clerk Bartlett were: COUNCILMEN: Benstead, Blount, Drale, Spelman and Schwab. Also present were City Manager Stevens and City Attorney Hall.

Councilman Drale led the salute to our Flag.

As first order of business, Councilman Spelman moved the minutes of the Regular Meeting of April 22nd and the Adjourned Regular Meeting of April 23rd be approved. Motion, seconded by Councilman Drale, carried.

The Mayor announced the time had arrived for the opening of bids on the business coupe for the Water Department and Clerk Bartlett opened and read the following:

<u>Bidder</u>	<u>Bids</u>
1. Schultz & Peckham	\$1616.59 including sales tax
2. Paul's Chevrolet	\$1540.00 excluding sales tax
3. Dick Barton	\$1677.33 including sales tax
4. Whittlesey Motors	\$1580.30

Councilman Blount moved the bids be evaluated by the City Manager and his recommendation at the next regular meeting. Mr. Stevens advised a determination of the low bid could be made during recess and award made this evening. Motion was withdrawn.

Mayor Schwab opened the hearing on Resolution of Intention No. 2266 for the Improvement and Construction of a Sanitary Sewer System in the Seaside Ranchos district. The Clerk filed his affidavit as to publication of Resolution of Intention No. 2266 and also as to mailing notices to property owners regarding adoption of this resolution and time of hearing. The Street Superintendent filed his affidavit as to posting notices of improvement. The Mayor announced that this was the time and place fixed for the hearing of all written protests against the proposed work or against the extent of the district to be assessed, or both. The Clerk read the Debt Limit Report in full, except as to the map, plat or diagram and the assessed valuations and the true valuations of and estimated assessments upon each parcel of land. The Mayor inquired if any written protests had been filed with the Clerk. The Clerk reported that two petitions bearing a total of

38 signatures, representing 33 properties, protesting the proposed sewer district had been filed with him prior to the time set for the hearing and then read in full the body of the petition.

The Mayor asked if anyone present desired to be heard from the floor. Mr. R. O. Mease, 5347 Linda Drive, stated the signatures on the two petitions represented only a 2-hour survey and that if there had been more time, more signatures could have been obtained. He stated there was supposed to have been a vote taken prior to the commencing of proceedings. City Manager Stevens explained that no vote is ever taken unless it is a vote among the people themselves, but not as an election; that proceedings were started in compliance with a request from approximately 59% of the property owners in the district; that that is the only way a sewer district is ever started; and stated the original petition did not ask for a survey but asked that proceedings be started for the installation of a sewer. Mr. Mease replied that he did not believe a lot of the people understood that and asked how soon they would be required to connect to the sewer if the project goes through. Mr. Stevens replied that where cesspools are still in good condition and usable, the property owner has not been required to connect to the sewer until the cesspool became unusable, and then no new permit for another cesspool would be given. Mr. Mease asked if the complete project, including installation to the house, could be financed under the bonding, or just the work in the street and Mr. Stevens stated that only work in a public street or alley could be financed under the 1911 Act, and that the laterals would be brought to the property line. In reply to inquiry, Mr. Mease was advised the interest rate was 6%, that the bonds run for 9 years, or can be paid up at any time, or paid in cash within 30 days.

Mr. Regan, of Doris Way, stated he was one of the group originally starting this project and that some of the residents had refused to sign the original petition; that others said the price would be cheap compared to the loss of a child through sickness because of overflowing cesspools; that the final petition requesting sewer was circulated through every block in the district; that everyone knew of the proposed project.

Mr. Santo, of 5130 Sharynne Lane, asked if the same signature appeared on both the petition requesting the sewer and on the petition of protest, would that signature on the second petition cancel out the same signature on the original petition, thus reducing the percentage of property owners. Mr. Stevens explained that the two petitions were entirely separate and that it was quite possible for a person who was originally in favor of the project to later change his mind and be opposed to it; that one signature would not cancel out the other. Mr. Santo then asked if this new petition asked for a municipal vote. City Attorney Hall replied that procedure is strictly laid down by the 1911 Act and that a municipal vote could not be taken even if they chose to.

Mr. Hicks, 5455 Linda Drive, stated he was a signer of the protest petition and had also signed the original petition but in signing the first petition had been led to believe it was merely asking for a survey.

Mr. Charlton Mewborn, 5321 Reese Road, President of the Homeowners' Ass'n in Seaside Ranchos, stated this problem has been known to the membership for many months; that meetings have been held and no objections ever were voiced; that at the last meeting a representative from the City's Engineering Office had been present and explained the procedure, and exactly what would be involved; that the meeting had been publicized by mimeographed handbills and that no objections were raised at that time; that he learned of this new petition only this evening at 5 o'clock. He stated he did not feel this move should in any way retard the procedure already started and that the sewer should go through on schedule.

Mrs. Watts, of 2234 Doris Way, stated she was one of the persons who circulated the original petition requesting sewers and that the petition was made out according to the Act of 1911; that anyone wishing to read it only had to take the time as it was available to them.

Mr. Horn, of 2211 Doris Way, stated he had been involved in this sewer project for two years; that he came to a Council meeting a year ago and picked up preliminary estimates prepared by the City Engineer's office which gave them an idea of the cost per lot; that this estimate was distributed as widely as possible through the Homeowners' Ass'n. He stated " I believe that anybody who hasn't been living with his head in the sand should know that this sewer proposition was up and how we were doing it."

Councilman Spelman stated he had a copy of the mimeographed paper sent out to the homeowners giving the estimated cost as \$85,014.42. He stated: "Further than that, because we have a problem in Seaside Heights, when the bids are in for this work, another bulletin should be published for the people in Seaside Ranchos to keep them as well informed as possible. We ran into quite a problem in Seaside Heights and it is my idea to keep you people as well informed as we possibly can. I make that in the form of a motion." Motion, seconded by Councilman Blount, carried.

Mr. Mease stated it was their understanding that someone was going to give a flat bid for the remainder of the work -- the individual house connections. Councilman Spelman advised that it was hoped to contact a contractor to handle that work, but that that was a local problem and one in which the City had nothing to do. Mr. Mewborn stated that problem had been discussed in the Ass'n meeting and that the Assistant City Engineer had recommended that no commitments be made until the sewer itself had been cleared.

In answer to inquiry, Mr. Patrick stated that anyone wishing to could come into the Engineer's office and look at the map; that stakes to indicate the position of the lateral should be placed by the homeowner so the contractor would know where the connection was to be, and that to make the connection as inexpensive as possible, the stake should be on the same side of the house as the plumbing outlet; that banks have been allowing loans, and in some cases FHA loans, to cover the cost of sewer installations.

All protestants having been heard, and an opportunity having been given to all persons desiring to be heard, and a fair and impartial hearing having been granted and the City Council having before them full and complete information as to the proposed work to be done and the extent of the district proposed to be assessed and the estimated cost of the proposed improvement, and also having considered all written protests or objections filed, and having given attention to all verbal protests from the floor, Councilman Spelman moved the hearing be declared closed. Motion, seconded by Councilman Benstead, carried unanimously by roll call vote. Councilman Spelman then moved that all protests and objections against the proposed work or against the extent of the district to be assessed be overruled and that all such protests and objections be denied. Motion, seconded by Councilman Blount, carried unanimously by roll call vote.

The Engineer presented and Clerk Bartlett read title to:

RESOLUTION NO. 2272

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, ORDERING THE WORK OF IMPROVING THE SEASIDE RANCHOS SEWER DISTRICT, IN THE CITY OF TORRANCE, BY THE CONSTRUCTION AND INSTALLATION THEREIN OF A SANITARY SEWER SYSTEM; AND DIRECTING THE CITY CLERK TO POST AND PUBLISH A NOTICE INVITING SEALED PROPOSALS.

Councilman Spelman moved to dispense with further reading of the Resolution. Motion was seconded by Councilman Blount. Councilman Drale asked if the contractor could be forced to do the job for the bid figure, citing the Seaside Heights project as something which they did not want to happen again. City Manager Stevens explained that there would be no problem in Seaside Ranchos as was had in Seaside Heights; that there would be no easements to be obtained; that in the Seaside Heights project, an easement had been denied and rather than go through a condemnation proceedings they had gone around the property; that the bid price would be very close to the final price. He stated this would be a much "clearer cut job than the last one". Motion carried unanimously by roll call vote. Councilman Spelman moved for the adoption of Resolution No. 2272. Motion, seconded by Councilman Blount, carried unanimously by roll call vote.

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The Engineer presented and Clerk Bartlett read title to:

RESOLUTION NO. 2273

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, ASCERTAINING THE PREVAILING RATE OF PER DIEM WAGES FOR EACH TYPE OR CRAFT OF WORKMAN NEEDED TO EXECUTE THE CONTRACT FOR THE IMPROVEMENT OF THE SEASIDE RANCHOS SEWER DISTRICT, IN THE CITY OF TORRANCE, BY THE CONSTRUCTION AND INSTALLATION THEREIN OF A SANITARY SEWER SYSTEM.

Councilman Blount moved to dispense with further reading of the Resolution. Motion, seconded by Councilman Spelman, carried unanimously by roll call vote. Councilman Blount moved for the adoption of Resolution No. 2273. Motion, seconded by Councilman Spelman, carried unanimously by roll call vote.

The Engineer presented and Clerk Bartlett read title to:

RESOLUTION NO. 2274

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, DIRECTING THAT THE ASSESSMENT FOR THE CONSTRUCTION OF A SANITARY SEWER SYSTEM IN THE SEASIDE RANCHOS SEWER DISTRICT, IN THE CITY OF TORRANCE, BE MADE BY THE CITY ENGINEER OF THE CITY OF TORRANCE.

Councilman Spelman moved to dispense with further reading of the Resolution. Motion, seconded by Councilman Blount, carried unanimously by roll call vote. Councilman Spelman moved for the adoption of Resolution No. 2274. Motion, seconded by Councilman Benstead, carried unanimously by roll call vote.

At 8:50 P.M., Mayor Schwab declared a brief recess. Meeting reconvened at 9:05.

City Manager Stevens advised the bids on the business coupe for the Water Dept. had been studied and that Whittlesey Motors was the low bidder with a net price to the City of \$1580.30, Paul's Chevrolet net bid being \$1586.20. He recommended the purchase from Whittlesey Motors and that all other bids be rejected. Councilman Blount so moved. Motion, seconded by Councilman Drale, carried unanimously by roll call vote.

Clerk Bartlett read the following:

WRITTEN COMMUNICATIONS

Letter from Bert S. Crossland Post No. 170, American Legion, offering \$50.00 for the Water Department Jeep. Councilman Benstead asked if any other offers had been received and was advised there had been none. Councilman Spelman, stating Mr. McVicar had received estimates on the value of the jeep in its present condition of disrepair and that it had very little value, moved the American Legion be given the jeep for \$50. Motion, seconded by Councilman Benstead, carried unanimously by roll call vote.

Request from Daniel F. Ordway for refund on City business license #521 as he had moved his business into Los Angeles County territory. Councilman Spelman moved the unearned amount be refunded. Motion, seconded by Councilman Benstead, carried unanimously by roll call vote.

Letter from North Torrance Civic Improvement Association protesting the adoption of Ordinance No. 597, relative to stock auctions. Councilman Blount moved the communication be held for action until the reading of the ordinance. Motion, seconded by Councilman Spelman, carried.

Letter from the Civil Service Board approving leave of absence without pay for:

- (a) Michael Orned, Jr., 2 weeks from June 16th to 30th
- (b) June Perkins, 6 months from May 15th to November 15th because of poor health
- (c) Walter Bradford, 3 weeks from July 14th to August 1st.

Councilman Blount moved the Council concur in the recommendations. Motion, seconded by Councilman Drale, carried unanimously by roll call vote.

Letter from the Civil Service Board inviting the Council to its meeting of June 4th to discuss the possibility of canceling the present contract with the County for supplying personnel services and employing the services of Louis J. Kroeger and Associates. The letter also advised that it was expected Asst. Chief Haslam and Sgts. Bennett and Evans would be present to express grievances regarding the manner in which the County conducted the recent examination for Asst. Police Chief. The Council was polled and all members stated they would be present at the June 4th meeting.

Letter from the Civil Service Board recommending the establishment of a new classification - Senior Gardener. Councilman Drale moved the Council concur in the recommendation. Motion, seconded by Councilman Blount, carried unanimously by roll call vote.

Request from the City Clerk for an appropriation of \$500 for a survey by Remington-Rand Company of filing and recording system of the City Hall offices. Councilman Spelman moved the request be granted. Motion, seconded by Councilman Drale, carried unanimously by roll call vote.

Letter from Tidewater Associated Oil Company advising no receipts were collected or received for the fiscal year ending April 30, 1952, under its franchise agreement. Councilman Drale moved the communication be referred to the City Attorney and then filed as a matter of record. Motion, seconded by Councilman Spelman, carried.

Letter from Hollywood Riviera Sportsman's Club advising the Chief of Police had refused them a permit to sell fireworks. The letter states the club "was founded under the principles of the qualifications of both a civic and charitable organization" and "has operated primarily for the benefit of youth organizations", and requested the Council to authorize a permit to sell fireworks in the Hollywood Riviera district on July 1st, 2nd, 3rd and 4th. Councilman Spelman stated the sale of fireworks present a real problem; that since the unwritten agreement with the Veterans' Council, similar letters have been received from groups who felt they were being discriminated against; that the Council was not trying to discriminate but felt the 4th of July was veterans day. He moved the ordinance be revised by the City Attorney to authorize the sale of fireworks only by the Veterans' Council. Motion, seconded by Councilman Blount, carried over the protest of Councilman Drale. Councilman Drale moved the Hollywood Riviera Sportsman's Club be granted the right to sell fireworks in the Hollywood Riviera district. Councilman Benstead, stating the ordinance gives them the right the same as any other charitable organization, seconded the motion. City Attorney Hall stated any ordinance pin-pointing any one authority would not be legal; that the only way to accomplish this would be by a franchise agreement and the obtaining of bids; that as a police measure, a certain amount of discretion could be vested in the Chief of Police; that the only other alternative would be to set a license fee "of such that there would be a question as to whether or not it would be opened up indiscriminately". Motion carried by the following roll call vote: AYES: Benstead, Blount, Drale. NAYS: Spelman and Schwab.

Request from Builders Mortgage Company to park house-trailers on Tracts 17330, 17920 and 17921 for use by the watchmen during course of construction (approximately one year). Councilman Drale moved the request be granted provided sanitation clearance is given by the Health Department. Motion, seconded by Councilman Spelman, carried unanimously by roll call vote.

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Letter from T. W. Trisler, 1614 Date, claiming damage to his car resulting from a fire truck backing into his car at Crenshaw and Carson. Clerk Bartlett advised the repair estimates had been forwarded to the insurance carrier. Councilman Blount moved the claim be denied and forwarded to the insurance carrier. Motion, seconded by Councilman Benstead, carried unanimously by roll call vote.

Letter from Claypool Construction Company requesting lease of airport grounds approximately 150' x 300', with the 150' facing the highway, for storage yard and field office. Councilman Drale asked how much equipment would be facing the highway as he didn't think highway frontage was the place for a storage yard. In answer to inquiry by Councilman Blount, City Manager Stevens stated this type of storage wasn't desirable on the boulevard. Councilman Blount moved the matter be investigated further by the City Manager. Motion, seconded by Councilman Spelman, carried.

Request from Judge Willett for bail forfeiture refund in the amount of \$15 to Milford Hamilton. Councilman Spelman moved the request be granted. Motion, seconded by Councilman Blount, carried unanimously by roll call vote.

Letter from California Safety Council, Inc. urging the City to become a member - fee, \$30 per year. Clerk Bartlett stated that the City at one time was a member and in 1939 received a safety award. Chief Stroh stated all the City gained from such a membership was a little publicity and that the organization requested a lot of facts and figures, making more work for the City, and that membership had been dropped for that reason. Councilman Drale moved the communication be filed as a matter of record. Motion, seconded by Councilman Spelman, carried.

Letter from the Mayor of Fresno inviting the Mayor and Councilmen to attend the Biennial Mayors' and Councilman's Institute in Fresno June 12th and 13th. Mayor Schwab stated he would be there for one day. Councilman Spelman moved the letter be filed as a matter of record. Motion, seconded by Councilman Blount, carried.

Request for business license refund from Donald W. Lohr due to closing of business. Councilman Spelman moved the unearned portion of the license fee be refunded. Motion, seconded by Councilman Blount, carried unanimously by roll call vote.

Letter from the Office of the Adjutant General, State of California, advising that recent action by the State Legislature has provided funds to continue the armory construction program and funds would be requested from the 1953 session of the Legislature to construct an armory in Torrance, and requesting that the deed remain of record until funds were made available. City Manager Stevens advised that the deed issued in March 1950 provided that if construction wasn't started within 3 years, the property would revert back to the City, and that the deed has 10 months to run. Councilman Spelman moved the letter be filed as a matter of record. Motion, seconded by Councilman Benstead, carried.

Letter from the law firm of Ball, Hunt & Hart advising the trial date in the case of Rogers v. Jackson, et al., has been set for February 11, 1953, 9:45 a.m., Department "A", Long Beach. At the request of Mr. Hall, Councilman Blount moved the communication be referred to the City Attorney. Motion, seconded by Councilman Spelman, carried.

Letter from Alter Realty advising they have a client wishing to purchase the unused portions of the abandoned street in Block 38 of Torrance Tract, Lots 12, 13 and 14, together with Lot P-5, and offering \$3000. Councilman Drale moved the matter be tabled for study. Motion, seconded by Councilman Blount, carried.

Letter from the Board of Supervisors transmitting a certified copy of its resolution adopted April 22, 1952, declaring a portion of Crenshaw Blvd. to be a part of the County system of highways and requesting the City's consent to its improvement by the County. Councilman Spelman moved the Council concur and that the matter be referred to the City Attorney for drawing the proper ordinance. Motion, seconded by Councilman Drale, carried unanimously by roll call vote.

Letter from City Attorney Hall advising Torrance Gardens is entitled to refund on water main installations in Tract No. 14950 but is entitled to no refund in Tract 14958. Water Superintendent McVicar advised Torrance Gardens was not requesting the refund at this time but was interested only in a refund agreement. City Attorney Hall concurred, stating that if they qualified the refund would be on a 7 year basis. Councilman Spelman moved the letter be filed as a matter of record. Motion, seconded by Councilman Drale, carried.

Letter from City Attorney Hall relative to expenses incurred by former Councilmen and others during the "welcome home" celebration held in honor of Louis Zamperini and other veterans, stating he believed the only legal basis upon which payments could be made would be through the Chamber of Commerce. Councilman Spelman moved the Council concur in the recommendation. Motion, seconded by Councilman Drale, carried unanimously.

AGA280 Letter from the Recreation Commission requesting a joint meeting with the Council to discuss a new ordinance for the creation, operation and control of the Recreation Commission and its duties. Councilman Spelman moved such a meeting be scheduled for Tuesday, May 20th, at 6:30 P.M. Motion, seconded by Councilman Blount, carried.

Letter from the Recreation Commission rejecting the proposed park site bounded by Carson, Maple and Eldorado Streets and recommending acquisition of a site bounded by Maple Street, Torrance Boulevard and Madrona Street. Councilman Drale moved the matter be tabled for the joint meeting next week. Motion, seconded by Councilman Spelman, carried.

Recommendations of City Manager Stevens:

APPROPRIATIONS:

1. To Marshall and Stevens for re-appraisal of City buildings and contents for establishment of fire insurance rates and the appraisal of City Yard and buildings to establish a fair sale value, the sum of \$610.00.
2. For purchase of fire hose, as replacement for line used in flood activities, the sum of \$631.25.
3. For the complete overhaul of bull-dozer tractor, used by Street Dept. and the City Dump, the sum of approximately \$2,500.

Councilman Spelman moved the Council concur in the recommendations. Motion, seconded by Councilman Blount, carried unanimously by roll call vote.

MISCELLANEOUS:

1. That the 1950 edition of the Uniform Plumbing Code, and amendments thereto, be adopted by the City.
2. That consideration be given to amending Ordinance No. 544, to permit a personal affidavit to be filed in lieu of a doctor's certificate for sick leave of five days or more, at the discretion of the Department Head.

Councilman Spelman moved the Council concur in the recommendations. Motion, seconded by Councilman Benstead, carried unanimously by roll call vote.

Letter from City Manager Stevens reporting on possible dump sites and recommending the purchase of a 14.89 acre parcel owned by Del Amo Estate Company, subject to the approval of the Regional Water Pollution Control Board. Mr. Stevens advised the purchase price was \$3,000 per acre and could be purchased on terms, interest at 5%. He stated further that the owners of the other suggested sites would not sell for a dump site and such property would have to be obtained by condemnation. After discussion of the interest rate and possible means of financing, Councilman Spelman moved the Council concur in the recommendation and that the City Manager carefully investigate the financing. Motion, seconded by Councilman Drale, carried unanimously by roll call vote.

Letter from Earle Lloyd, Secretary of the Planning Commission, requesting that he and Mrs. Chamberlain had been recommended by the Planning Commission as Deputy Assistant City Clerks for the purpose of swearing in persons giving testimony before the Commission's public hearings. Councilman Spelman moved the Council concur in the recommendation. Motion, seconded by Councilman Drale, carried.

Letter from the Planning Commission recommending approval of Dr. Cook's request for waiver of minimum front yard setback on his proposed home due to the irregular shape of the lot. Councilman Blount moved the Council concur in the recommendation. Motion, seconded by Councilman Drale, carried unanimously by roll call vote.

Letter from Asst. to City Engineer Patrick submitting Tract Map No. 17378, containing 56 lots, on behalf of Truman Browne, and advising the Tract had been approved by the Planning Commission on March 19th. Councilman Drale moved the Council concur in the recommendation with the reservation that water service be arranged for before the signing of the final tract map. There being no second, motion was declared lost.

Clerk Bartlett read title to:

RESOLUTION NO. 2275

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE CHANGING THE NAME OF THE RE-ALIGNMENT OF CRENSHAW BOULEVARD BETWEEN PACIFIC COAST HIGHWAY AND PALOS VERDES DRIVE NORTH TO "ROLLING HILLS ROAD".

Councilman Blount moved to dispense with further reading of the Resolution. Motion, seconded by Councilman Benstead, carried unanimously by roll call vote. Councilman Blount moved for the adoption of Resolution No. 2275. Motion, seconded by Councilman Spelman, carried unanimously by roll call vote.

RESOLUTION NO. 2276

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE FIXING INTEREST RATE ON BONDS OF MUNICIPAL WATER DISTRICT NO. 3 OF SAID CITY.

At the request of Councilman Blount, this Resolution was read in full, following which Councilman Spelman moved for its adoption. Motion, seconded by Councilman Blount, carried unanimously by roll call vote.

The City Treasurer presented and Clerk Bartlett read her letter refusing to sign the bonds and interest coupons of Municipal Water District No. 3 and refusing to transfer moneys from the "Water Revenue Fund" to the respective interest and redemption funds of the districts or to use any such revenues to pay principal or interest on the bonds of the districts, as provided in Ordinances 589 and 590, and setting forth her reasons for such refusal. City Attorney Hall, in view of the questions raised, requested authority to institute proceedings ordering the Treasurer to sell and issue bonds.

Clerk Bartlett then read title to:

RESOLUTION NO. 2277

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE DIRECTING THE CITY ATTORNEY TO FILE A PETITION FOR WRIT OF MANDATE REQUIRING THE CITY TREASURER TO SIGN CERTAIN WATER BONDS AND INTEREST COUPONS.

Councilman Spelman moved to dispense with further reading of the Resolution. Motion, seconded by Councilman Blount, carried unanimously. Councilman Spelman moved for the adoption of Resolution No. 2277. Motion, seconded by Councilman Blount, carried unanimously by roll call vote.

ORDINANCE NO. 597

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING ORDINANCE NO. 483.

Councilman Blount moved further action on this Ordinance be postponed until the next regular meeting. Motion, seconded by Councilman Drale, carried.

At 10:10 P.M., Mayor Schwab declared a brief recess. Meeting reconvened at 10:20.

ORDINANCE NO. 599

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING THE ESTABLISHMENT OF A PORTION OF CRENSHAW BOULEVARD, WITHIN THE CITY OF TORRANCE, AS A PART OF THE COUNTY SYSTEM OF HIGHWAYS AND CONSENTING TO THE IMPROVEMENT THEREOF BY THE COUNTY.

Councilman Spelman moved to dispense with further reading of the Ordinance. Motion, seconded by Councilman Blount, carried unanimously by roll call vote. Councilman Spelman moved for the adoption of urgency ordinance No. 599 at its first and final reading. Motion, seconded by Councilman Drale, carried unanimously by roll call vote.

ORAL COMMUNICATIONS

City Manager Stevens stated he had a correction to make; that in studying the bids on the business coupe, he had misread the notation regarding sales tax on the Whittlesey bid; that the bid of \$1580.30 did not include sales tax and that therefore the low bidder was Paul's Chevrolet whose bid, including sales tax, amounted to \$1586.20. Councilman Blount moved to rescind his former motion and Councilman Drale seconded. The motion carried unanimously by roll call vote. Councilman Blount then moved that the award be made to Paul's Chevrolet and that all other bids be rejected. Motion, seconded by Councilman Drale, carried unanimously by roll call vote.

City Manager Stevens stated he had hoped to name a City Engineer from the eligible list but difficulties had arisen and asked permission to appoint Ronald W. Bishop, temporarily, as Engineer. He stated Mr. Bishop is on the list but would be employed as Engineer, not as City Engineer. Councilman Blount moved the Council concur in the recommendation. Motion, seconded by Councilman Spelman, carried unanimously by roll call vote.

Councilman Benstead stated he would like to bring up the Truman Browne Tract again (No. 17378) and asked Councilmen Spelman and Blount their reasons for holding up this tract. Councilman Spelman replied: " We have a problem on Sepulveda involving Truman Browne - a question of water - and when that situation is taken care of to the satisfaction of the Attorney and the Council, then this matter will be taken care of, as far as I am concerned. Mr. Browne hasn't seen fit to cooperate on the other problem and when he does, we will take the next step".

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Councilman Benstead asked if it was fair to prohibit a man from building as long as he lives up to the requirements and Councilman Spelman replied "Our history with Mr. Browne hasn't been very satisfactory, in my opinion."

Councilman Drale asked if there wasn't a court action pending to decide who was right in that particular case and City Attorney Hall replied there was no court action, stating that he couldn't speak for Mr. Browne but that he didn't believe there was any intent to sue the City or its Council members. He stated there had been a delay in concluding a 3-way contract between Mr. Browne, Dominguez Water and the City, partially due to Mr. Browne's attorney being involved in a lengthy trial; that he has attempted to talk with Mr. Spencer on several occasions but has been unable to bring the matter to a head. He stated he thought the matter before the Council at this meeting should be considered independently of anything in the other matter.

Mr. Browne, at great length, explained his position in the water problem in the Tract on Sepulveda, stating he believed Mr. Hall and Mr. Spencer could work out the problem. He stated he had submitted two tracts to the Council at the last meeting, which had the recommendation of the Planning Commission, and that they had been tabled; and requested consideration of those tracts together with the one tabled this evening, involving 300 lots in all.

Councilman Blount stated the Planning Commission minutes showed that Tracts 17965 and 17371 had been changed since the Commission's previous approval and Mr. Browne advised there had been no real change -- only they were merely going to proceed with a portion of the tract at this time; that such procedure had been done before without the matter having to be reapproved by the Commission.

City Attorney Hall stated these tracts had been discussed at an agenda meeting and that two matters had been brought up for consideration: (1) destruction of trees given to the City many years ago, and on which protests had been received, and (2) water. Mr. Browne replied that the trees were directly in the curb area; that he called the Engineer's Office and received permission to remove the trees; that when protests were received, the curb line was moved 2' out into Sepulveda in order to save the trees; that the stripping had been done preparatory to removing the trees. As to the water, he stated the City was using water off his line at the present time. Mr. McVicar advised the City was connected to the line paid for by Mr. Browne but that the line was the property of Dominguez.

Councilman Blount read from the Planning Commission minutes of May 7th regarding the fencing of the sump at 182 nd and Amie. Mr. Browne stated he had donated an area approximately 180' x 180' to the City for a sump site; that he fenced it with a 6' steel fence; that the grade was brought up to the bottom on the fence when the adjacent tract was developed; that children have shoved more dirt through the fence; that there are several places where children can crawl through but that it is City property and not his place to maintain it.

Councilman Drale asked if the development of the new tracts would help solve the drainage problem and was advised by Mr. Browne's engineer that it would very definitely help the problem.

Councilman Drale stated that the Council had previously granted permission for one large tract to be divided and constructed in two parts, but had never taken a whole tract and agreed to develop only 13 lots. Mr. Browne replied that this was done so as not to include the proposed 5-acre park site, pending further negotiations with the City.

Following further discussion, Councilman Drale stated "In all consideration, I am ready to give Mr. Browne an OK on this particular map but I do not feel I am ready to OK these other two and, if in order, I would like to reactivate my original motion and move to approve Tract 17378, as recommended by the Planning Commission and Mr. Patrick, subject to the conditions as stipulated regarding water". Motion, seconded by Councilman Benstead, carried by the following roll call vote: AYES: COUNCILMEN: Benstead, Blount, Drale and Schwab. NAYS: COUNCILMAN: Spelman.

Mr. Browne then stated he would take his chances on the approval of the other two tracts and requested the Council authorize the issuance of building permits for Tracts 17965 and 17371. City Attorney Hall advised that unless something could be worked out with Mr. Spencer, a double problem might be involved; that Mr. Browne holds title to the mains and sub-mains and there would be a question as to how the City would supply water when the two new mains are run in, as under Ordinance No. 589 the City acquires title.

Councilman Drale stated he would not act on the request at this meeting; that if something could be worked out with Mr. Hall and Mr. McVicar, a special meeting could be called to pass the maps. Councilman Blount stated he did not think it was fair for any developer to ask the Council to overrule the Commission or change a tract involving legal matters.

Councilman Drale moved that the City Attorney carry out the original recommendation and have a report for the Council. Motion, seconded by Councilman Benstead, carried.

Councilman Drale advised the City Manager the subdivider who built the homes at 171st and Crenshaw had not restored the parkway to the condition in which he found it, and asked that the matter receive his attention.

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Mr. Gianni requested permission to develop his Tract, No. 16701, stating it was being held up in the Planning Commission after approval having been previously given. In reply to inquiry, he stated the tract had first been approved in March of 1950, under the name of Budget Homes who, due to lack of financing, was unable to proceed; that the tract has been sold three times and held up for various reasons; that there had been a drainage problem but that the matter was now taken care of. Mr. B.B. Smith, President of the Planning Commission, stated a committee had been appointed to investigate the matter but was not ready to make its report; that the next meeting would be May 21st and he presumed the report would be in by that time. Mr. Gianni stated he had made all his arrangements for the building of these homes and that there was a "one-man crusade" to stop him. Councilman Spelman stated that while he appreciated the problem, he did not feel the Council could override the Planning Commission and take the matter out of its hands. Councilman Drale suggested that if the committee was ready to report prior to the next meeting, a special meeting of the Commission be called to act on the matter and submit it to the Council. Mr. Gianni stated he hoped the matter was acted upon soon, as he would not like to sue, but would if forced to.

Chief of Police Stroh asked the Council to give more consideration to their action regarding fireworks sales in the City, stating that for the past 3 or 4 years, sales have been restricted to the Veterans' Council; that he has turned down dozens each year and tonight the Council "opens it up .. to have one on every corner".

Richard Miller, of 1024 Hickory, suggested that the Hollywood Riviera Sportsman's Club show its papers of incorporation as a civic or charitable organization and asked that the Council give more consideration to the matter.

Clerk Bartlett stated it would put his office in an "awful spot" because he would not be able to refuse a license. City Attorney Hall advised that he thought precedent would help a lot. City Manager Stevens stated he felt the Fire Chief should be considered because of the extreme hazard involved.

Mr. Cameron, of Winlock Road, asked that the Council give consideration to the fencing of the Sennes sump and zoning variance in the near future. The ordinance being in effect, the City Attorney stated it would be necessary for someone to make an investigation and sign a complaint, and that the proper one to make the investigation would be the Police Department. Councilman Drale moved the investigation be made and the City Attorney carry out the ordinance. Motion, seconded by Councilman Spelman, carried. Councilman Spelman moved that Mr. Cameron's problem be further discussed at the next agenda meeting. Motion, seconded by Councilman Drale, carried.

There being no further business, Councilman Spelman moved all bills properly audited be paid. Motion, seconded by Councilman Drale, carried unanimously by roll call vote.

At 11:30 P.M., on motion of Councilman Spelman, seconded by Councilman Blount, meeting adjourned.



CITY CLERK OF THE CITY OF TORRANCE

APPROVED:



MAYOR OF THE CITY OF TORRANCE