

I N D E XCouncil Meeting Held November 7, 1961, 5:30 P.M.

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Edith Shaffer
Minute Secretary

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Torrance, California
November 7, 1961

**MINUTES OF A REGULAR MEETING
OF THE TORRANCE CITY COUNCIL:**

1. CALL MEETING TO ORDER:

The City Council of the City of Torrance convened in a regular meeting at 5:30 P.M., Tuesday, November 7, 1961, in the Council Chamber of City Hall.

2. ROLL CALL:

Those responding to roll call by Deputy City Clerk Bramhall were: COUNCILMEN: Beasley, Benstead, Blount, Drale, Vico, Mayor Isen. ABSENT: COUNCILMEN: Bradford (arrived at 5:50 P.M.) City Manager Peebles and City Attorney Remelmeyer were also present.

3. FLAG SALUTE:

At the request of Mayor Isen, Lt. Fischer of the Police Department led the salute to our flag.

4. INVOCATION:

The Reverend Gilbert S. Zimmerman of the First Methodist Church of Torrance opened the meeting with an invocation.

5. APPROVAL OF MINUTES:

Councilman Drale moved to approve the minutes of the regular meeting held October 31, 1961. Motion, seconded by Councilman Benstead, carried, there being no objection.

6. APPROVAL OF DEMANDS:

Councilman Drale moved that all bills properly audited be paid. Motion, seconded by Councilman Benstead carried by unanimous roll call vote of those present (Councilman Bradford absent).

7. MOTION TO WAIVE FURTHER READING:

Councilman Benstead moved that after the Clerk has given a number and read the title to any resolution or ordinance on tonight's agenda, the further reading thereof be waived; reserving and guaranteeing to each councilman the right to demand the reading of any such resolution or ordinance in regular order. The motion was seconded by Councilman Drale and carried by unanimous roll call vote of those present (Councilman Bradford absent).

HEARINGS:

8. Case No. 741 - Variance - Stuart K. Tielens, 3629 Emerald St., Petitioner. Formal hearing on petition for a variance and conditional permit to erect a 20 unit apartment building on property described as the east 25 feet of Lot 19 and the west 35 feet of Lot 20, Tract 3458, situated at 3629 Emerald, between Amie and Hawthorne in Zone A-1, recommended for approval. Submitted were letter of transmittal, excerpt from Planning Commission minutes of October 18, 1961, plot plan and location sketch.

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Deputy City Clerk Bramhall presented Affidavit of Publication of Notice and, there being no objection, it was ordered filed.

Mayor Isen asked if anyone present wished to be heard regarding Case No. 741; there was no response. Mayor Isen said if there was no objection, the hearing would be ordered closed; there was none.

Councilman Drale moved to concur in the recommendation of the Planning Commission to approve the variance requested in Case No. 741. The motion was seconded by Councilman Vico and carried by unanimous roll call vote of those present (Councilman Bradford absent).

WRITTEN COMMUNICATIONS:

9. Petition bearing signatures of five ladies regarding the arms race, dated November 1, 1961.

Mayor Isen said if there was no objection, the communication having been noted, would be filed. There was no objection.

10. Assemblyman Vincent Thomas, acknowledging receipt of Resolution No. 61-195 requesting the State Legislature to provide sufficient funds for the improvement of major and secondary highways serving as "feeder" and connecting routes to freeways in Los Angeles County; Assemblyman Thomas requests information as to the type of legislation the City would support, a gas tax increase of one cent, or an increase in the Motor Vehicle license fee (in lieu tax rate).

Mayor Isen said he thought it was a double jointed request regarding how the people wish to be taxed and suggested a letter be sent to Assemblyman Thomas saying if more economy were used, the object could be accomplished without further taxing. Councilman Benstead said if that was a motion, he would second it. Councilman Beasley said freeways and highways are needed very badly and there must be a way to pay for them and he believes the proposals made in the communication merit investigation and very careful consideration.

Mayor Isen said he does not favor either of the alternatives as if there were a more equitable division of the gas tax between the north and south portions of the state there would not be any need for increase of any kind. The League of California Cities is working on this and will very shortly concentrate on the feeder and connecting highway systems.

Councilman Drale moved to file the communication and Councilman Beasley seconded the motion. Councilman Benstead thought the letter should be answered in Mayor Isen's exact words.

Councilman Beasley moved the letter be answered by saying that Torrance is working with the League and will await their consideration before taking a stand.

Mayor Isen said he would write Mr. Thomas a personal letter expressing his views, which he stated would be no surprise to Assemblyman Thomas. No formal action was taken on either motion.

COMMUNICATIONS FROM BUILDING DIVISION:

11. Superintendent of Building Inspection Schlens on the subject of Sewer Use Fee in connection with construction of Building "H" in the Del Amo Shopping Center, with recommendation of City Manager Peebles.

Councilman Beasley moved to concur in the recommendation of the City Manager to waive the sewer use fee, this being a deviation from the provisions of the ordinance. Councilman Benstead seconded the motion.

City Manager Peebles asked that there be included in the motion that this waiver include the area bounded by Hawthorne, Sepulveda, Madrona and Carson which is the area comprising the Del Amo Shopping Center only, and Councilman Drale agreed to incorporate those boundaries in his motion. He added that a policy will need to be established on this a little later.

Roll call vote was unanimously favorable (Councilman Bradford being absent).

12. Request of Tony Capanna for permission to erect oversize sign at 2930 Sepulveda Boulevard, with recommendation of Superintendent of Building Inspection Schlens.

Councilman Drale moved to concur in the recommendation of Building Superintendent Schlens to approve the sign as indicated at 2930 Sepulveda Boulevard, on condition that the additional future portions are submitted to him to determine compatibility with the original portion. The sign is to be located 40 feet from the west property line instead of the 30 feet as shown on the plot plan. The motion was seconded by Councilman Vico, and after Councilman Benstead determined that the sign does not constitute a "billboard", there was no objection and the motion carried.

13. Request of Marion N. Gourley for refund on Building Permit No. 27523B, issued for the construction of a factory at 2929 Lomita Boulevard, with recommendation of Superintendent of Building Schlens.

Councilman Drale moved to concur in the recommendation to make the usual 80% refund of \$297.50 permit fee, as no construction was commenced on this project and the permit has expired; no refund to be made on the plan check fee. The motion was seconded by Mayor Isen and carried by unanimous roll call vote of those present (Councilman Bradford absent).

COMMUNICATIONS FROM FIRE CHIEF:

14. J. J. Benner, Chief Engineer, Fire Department, transmitting for approval proposed Mutual Aid Agreement between the cities of El Segundo, Gardena, Hawthorne, Hermosa Beach, Inglewood, Manhattan Beach, Palos Verdes Estates, Redondo Beach and Torrance. Attached were copies of proposed agreement.

Councilman Drale asked how this would affect our insurance coverage. City Attorney Remelmeyer explained that the Pacific Indemnity policy protection would follow the fire department, as would workmen's compensation, so long as the service in one of the other cities was authorized. Councilman Drale then asked what would happen if personal and/or property damage were more than would be covered by our insurance. City Attorney Remelmeyer said Torrance would be solely liable as there is no provision for contribution to liability in such a case. However, Torrance carries blanket coverage of \$1,000,000 which should be sufficient. Also, in answer to Mr. Benstead's question as to any possible effect on the premium itself, City Attorney Remelmeyer said as long as the insurance was written with the understanding that the fire and police units might be working outside Torrance city limits, he

did not think there would be any change in premium.

Fire Chief Benner said there had previously been no formal agreement on mutual aid, although it had been extended under the provisions of a resolution which dates back many years. The city attorneys of the other cities have checked this agreement thoroughly and agree that it not only protects the various cities, but also sets up a policy which provides better working conditions.

Councilman Beasley moved to authorize execution of the agreement and his motion was seconded by Councilman Drale.

Councilman Bradford joined the meeting at this point.

Mayor Isen asked for a report from City Attorney Remelmeyer along the lines of contribution by all cities toward liability of one city, as discussed this evening. Roll call vote was unanimously favorable to execution of the agreement.

15. COMMUNICATIONS FROM ENGINEERING DIVISION:

NOTICE OF COMPLETION - Sewers in Crenshaw Boulevard and 234th Street (Resubmitted) - Contractor: Chet Kohler. Letter from City Engineer Nollac, approved by City Manager Peebles, recommending that the work of contractor be accepted.

Councilman Benstead moved to concur in the recommendation that the work be accepted so that final settlement may be made with the contractor. The motion was seconded by Councilman Drale and carried by unanimous roll call vote.

15½. Opinion of Assistant City Attorney Dower regarding Internal Revenue Service levy against the amount owing Chet Kohler construction Company, Inc.

Mayor Isen did not agree completely with Mr. Dower's opinion, but City Attorney Remelmeyer explained how it will be handled. If the Council accepts the work, he said, the City will pay the Internal Revenue Service. No formal action is necessary other than that taken under Item 15 above.

16. Councilman Drale moved the following street easement deeds be accepted:

1. Dated October 13, 1961 for the widening of Amie Avenue over a portion of Lot 12, Tract No. 3458, given by William and Bettie Slagg.
2. Dated October 18, 1961 for the widening of Amie Avenue over a portion of Lot 13, Tract No. 3458, given by Amie Avenue Corporation.
3. Dated October 16, 1961 for the widening of Amie Avenue over a portion of Lot 12, Tract No. 3458, given by Rolling Hills Investment Corporation.
4. Dated October 20, 1961 for the widening of Amie Avenue over a portion of Lot 4, Tract No. 3458, given by Sarah Garrett, Ralph Stout and Frances Stout.
5. Dated October 12, 1961 for the widening of Walnut Street and 233rd Street and to provide a corner radius at the north-westerly corner of Walnut and 233rd Streets over a portion of Lot 14, Tract No. 15, given by Ruth Scruggs.

326. Dated October 20, 1961 for the widening of Carson Street to provide a corner radius at the northeasterly corner of Carson Street and Maple Avenue and to provide a corner radius at the northwesterly corner of Maple Avenue and Monterey Street over a portion of Lot 1, Tract No. 10778, given by Charles R. Warde.
7. Dated September 29, 1961 for the widening of Redondo Beach Boulevard over a portion of Lot 90, La Fresa Tract, given by Hitoshi and Toshiye Fujii.
 8. Dated October 10, 1961 for the widening of Crenshaw Boulevard over a portion of Lot 47, McDonald Tract, given by Mato Tashiro and Collie C. Vivonia.
 9. Dated October 5, 1961 for the widening of 236th Street and 236th Place over a portion of Lot 3, Tract No. 847, given by John and Mary Koshak.
 10. Dated October 13, 1961 for the widening of Crenshaw Boulevard over a portion of Lot 8, Block 8; Tract No. 4070, given by Richard and Hartley Gurrey.
 11. Dated September 18, 1961 to provide a corner radius at the southeasterly corner of Date Avenue and Sonoma Street over a portion of Lot 14, Block 2, Tract No. 2761, given by Henry and Virginia Day.
 12. Dated June 13, 1961 for the widening of 168th Street and to provide a corner radius at the southwesterly corner of 168th and Yukon over a portion of Lot 63, La Fresa Tract, given by John and Weldon Carroll.
 13. Dated October 4, 1961 for the widening of Crenshaw Boulevard and to provide a corner radius at the southeasterly corner of Crenshaw Boulevard and Eldorado Street over a portion of Lot 24, Block 91, Torrance Tract, given by George and Ruth Kobayashi.
 14. Dated September 29, 1961 for the widening of Neece Avenue and to provide a corner radius at the northwesterly corner of Neece and 242nd Street over a portion of Lot 15, Meadow Park Tract, given by Amanea R. Wisdom.

Councilman Beasley seconded the motion and, there being no objection, it carried.

COMMUNICATIONS FROM LICENSE DEPARTMENT:

17. Memorandum from License Inspector Whitacre, submitting request of Mr. Frank Masse, Secretary of Southwest Transportation, Inc., dba "Yellow Cab Company of Torrance" and Mr. Stanley Watts, dba A-1 Taxi Service: 1. permission to transfer all existing taxi permits issued to A-1 Taxi Service, and taxicab stands to "Yellow Cab Company of Torrance"; 2. Yellow Cab Company requests permission to accept and operate existing taxi permits and stands; and 3. permission for Yellow Cab Company to change color scheme.

Councilman Drale moved the request be granted subject to the conditions set forth. The motion was seconded by Councilman Bradford and carried by unanimous roll call vote.

18. Letter from Southwest Transportation, Inc., re color change on taxi, with comments of License Inspector Whitacre and concurrence of City Manager Peebles.

Councilman Benstead moved to concur in approval. Motion, seconded by Councilman Drale, carried, there being no objection.

COMMUNICATIONS FROM AIRPORT COMMISSION.

19. Jack R. Egan, Airport Manager, transmitting Airport Commission's recommendation that Leasair Inc. be permitted to complete the first floor on the east part of the Aero-Care, Inc. hangar.

19½. Also, that Leasair, Inc. be permitted to sublease to Southwestern Avionics.

Councilman Blount moved to concur in granting the requested permission, as to completing the first floor on the east part of the Aero-Care, Inc. hangar and also that Leaseair Inc. be permitted to sublease to Southwestern Avionics.

The motion was seconded by Councilman Vico and, there being no objection, carried.

COMMUNICATIONS FROM CIVIL SERVICE BOARD:

20. This communication consists of a recommendation to increase the rate range for the classification of Planning Director from the present \$873 - \$962, to \$939 - 1036 per month.

Councilman Beasley moved to concur in approving the increase. Motion, seconded by Councilman Bradford. Councilman Drale suggested the man who has been handling the Planning Director's duties be temporarily authorized to act as Planning Director and that the possibility of hiring an assistant be explored. Mayor Isen stated this is not the province of the Council and a heated discussion followed in which Councilman Benstead mentioned the three men who qualified and passed the examination but were rejected by the City Manager. The result of the discussion was that Mayor Isen stated the whole conversation was out of order and called for a vote on the motion made by Councilman Beasley. Roll call vote was:

AYES: COUNCILMEN: Beasley, Blount, Bradford, Mayor Isen.
NOES: COUNCILMEN: Benstead, Drale, Vico.

The motion to concur in approval of the increase thus carried.

COMMUNICATIONS FROM TRAFFIC COMMISSION:

21. Traffic and Lighting Engineer Whitmer, submitting recommendations of Traffic Commission as follows, with signature showing concurrence of City Manager Peebles:

- A. That request of Donald H. Shanedling Inc. for left turn pocket in Pacific Coast Highway at the Pacific Plaza Shopping Center be approved, with the condition that left-turn egress from the Shopping Center be prohibited.
- B. That request for a crossing guard at Henrietta and Spencer be denied;
- C. That all-day parking be permitted in the City Parking Lot at Cravens and El Prado.
- D. That the request for a crosswalk across Carson Street at Hickory Avenue be denied;
- E. That the existing loading zones and green zones in the Central Business District be authorized, with resolution establishing yellow, white and green zones, pursuant to Article IV, Section 17.35 of the Traffic and Motor Vehicle Code.

- F. That angle parking be permitted in the cul de sac or knuckle at 172nd Street and Eastwood Avenue, with proposed ordinance for first reading.
- G. That STOP signs be installed (a) on the approaches to Cathann Street and Elmo Avenue, Ellinwood Drive, Cathann Place, and Reynolds Drive; (b) on Laurette Street at Reynolds Drive and Evalyn Avenue.
- H. That Article II of Resolution No. 61-158 be amended by adding the following: Section 24. Cabrillo Avenue at Reynosa Drive, authorizing installation of STOP signs on Reynosa Drive at both approaches to Cabrillo Avenue.

Mayor Isen asked if the items might be taken together and Councilman Blount asked that items B and D be considered separately.

Councilman Benstead moved to concur in the recommendations set forth for Items A, C, E, F, G and H. Mayor Isen asked that they be considered separately, item by item.

Councilman Beasley moved to concur on Item A. The motion was seconded by Councilman Benstead and roll call vote started.

Councilman Bradford asked for an exact location of the proposed left turn and Traffic Engineer Whitmer explained it would be at the driveway east of Calle Mayor, west of the most easterly buildings on the Plaza and would accommodate traffic heading east. Councilman Drale expressed the opinion that it would eventually lead to the installation of a signal at this point; Mayor Isen did not agree.

Councilman Beasley asked to withdraw his motion and Mayor Isen refused on the ground that roll call vote had started.

The motion failed, as follows:

AYES: COUNCILMEN: Benstead, Mayor Isen.

NOES: COUNCILMEN: Beasley, Blount, Bradford, Drale, Vico.

The left turn pocket was thus denied.

B. Councilman Vico moved to concur in denial of the request for a crossing guard at Henrietta and Spencer. Mayor Isen seconded the motion which carried by the following roll call vote:

AYES: COUNCILMEN: Benstead, Bradford, Drale, Vico, Mayor Isen.

NOES: COUNCILMEN: Beasley, Blount.

Councilman Drale suggested there be a study of the possibility of STOP signs at this intersection. City Engineer Whitmer said he would do so.

C. Councilman Blount moved to concur in the request that all-day parking be permitted in the City parking lot at Cravens and El Prado. The motion was seconded by Councilman Bradford and carried by the following roll call vote:

AYES: COUNCILMEN: Beasley, Blount, Bradford, Vico, Mayor Isen.

NOES: COUNCILMEN: Benstead, Drale.

D. Councilman Beasley moved to concur in the recommendation of denial of the request for a crosswalk across Carson Street at Hickory Avenue. The motion was seconded by Councilman Drale and carried by the following roll call vote:

AYES: COUNCILMEN: Beasley, Benstead, Drale, Vico, Mayor Isen.

NOES: COUNCILMEN: Blount, Bradford.

E. Councilman Blount said he did not know there were six green zones established in the City and does remember many people who have asked and been refused. He asked if all those fifty or so who have been refused will now have their green zones granted, or does the Council have the right to discriminate between businessmen who wish to have green zones.

City Traffic Engineer Whitmer said the zones are in existence although they have never been made a matter of record by resolution or by ordinance. Mayor Isen said the criticism is well taken and asked for a communication stating not only the location of the green zones, but the type of business accommodated and the name of the respective owners.

Councilman Drale moved to eliminate all white, green, and yellow parking zone spaces. The motion was seconded by Councilman Benstead and carried by the following roll call vote:

AYES: COUNCILMEN: Beasley, Benstead, Blount, Bradford, Drale, Vico.

NOES: Mayor Isen;

Councilman Bradford moved a survey be made to determine the necessity, or lack thereof, of green, white or yellow zones. The motion was seconded by Councilman Beasley and carried, there being no objection.

F. Councilman Benstead moved that angle parking be permitted in the cul de sac at 172nd Street and Eastwood Avenue. The motion was seconded by Councilman Beasley and carried by the following roll call vote:

AYES: COUNCILMEN: Beasley, Benstead, Blount, Bradford, Mayor Isen.

NOES: COUNCILMEN: Drale, Vico.

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

ORDINANCE NO. 1276

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE ESTABLISHING CERTAIN TRAFFIC CONTROL MEASURES PURSUANT TO ARTICLE IV, SECTION 17.35 OF THE "CODE OF THE CITY OF TORRANCE, 1954".

Councilman Benstead moved to approve Ordinance No. 1276 at its first reading. Motion, seconded by Councilman Bradford, carried by the following roll call vote:

AYES: COUNCILMEN: Beasley, Benstead, Blount, Bradford, Mayor Isen.

NOES: COUNCILMEN: Drale, Vico.

G. Councilman Blount moved to concur in the recommendation that STOP signs be installed (a) on the approaches to Cathann Street and Elmo Avenue, Ellinwood Drive, Cathann Place, and Reynolds Drive; (b) on Lurette Street at Reynolds Drive; and (c) on the approaches to Merrill Drive at Reynolds Drive, and at Evalyn Avenue.

The motion was seconded by Councilman Bradford and carried by unanimous roll call vote.

H. Councilman Bradford moved to amend Article II of Resolution No. 61-158 by adding Section 24. Cabrillo Avenue at Reynosa Drive which would authorize installation of STOP signs on Reynosa Drive at both approaches to Cabrillo Avenue. The motion was seconded by Mayor Isen and carried by unanimous roll call vote.

At 6:15 a recess was declared and the Council reconvened at 6:25. Councilman Blount left the meeting at this recess.

RESOLUTIONS:

22. At the request of Mayor Isen, Deputy City Clerk Bramhall assigned a number and read title to:

RESOLUTION NO. 61-204

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST THAT CERTAIN ELECTION SUPPLY CONTRACT BY AND BETWEEN THE CITY OF TORRANCE AND DUANE W. WHEELER AND COMPANY RELATING TO THE APRIL 10, 1962 ELECTION.

Councilman Drale moved to adopt Resolution No. 61-204. Motion, seconded by Councilman Benstead, carried by unanimous roll call vote of those present (Councilman Blount absent).

23. At the request of Mayor Isen, Deputy City Clerk Bramhall assigned a number and read title to:

RESOLUTION NO. 61-205

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST THAT CERTAIN AGREEMENT BY AND BETWEEN THE CITY, TRUMAN ENTERPRISES, INC. AND DOMINGUEZ WATER CORPORATION FOR THE PURCHASE BY THE CITY OF THE WATER DISTRIBUTION SYSTEM, METERS AND METER BOXES IN TRACT NO. 13028.

Councilman Benstead moved to adopt Resolution No. 61-205. Motion, seconded by Councilman Drale, carried by unanimous roll call vote of those present (Councilman Blount absent), except for Councilman Vico, who abstained.

COMMUNICATIONS FROM CITY MANAGER:

24. Letter dated October 23, 1961 from Joseph V. Lopez to Home Building and Loan Association, copy to Torrance City Council, regarding drainage ditch being constructed by Los Angeles County Flood Control Agency.

Mayor Isen noted that Mr. Lopez has sent copies of his letter to the Flood Control Agency and the L. A. County Board of Supervisors and said if there was no objection, the letter would be referred to the City Attorney and City Manager for whatever type of further communication they deem advisable. There was no objection.

25. Letter from City Manager Peebles recommending purchase of standby International Harvester Truck Transmission and also a standby GMC Coach Transmission for City buses.

Councilman Benstead moved to concur in the recommendation of the City Manager. Motion, seconded by Councilman Drale, carried by unanimous roll call vote. (Councilman Blount absent).

26. Employees' Christmas Party.

Councilman Drale moved to concur in the recommendation of the City Manager to maintain skeleton crews on the afternoon of Friday, December 22, 1961, so the bulk of City employees might attend the

annual Christmas Party. Motion, seconded by Councilman Vico, carried by unanimous roll call vote of those present (Councilman Blount absent).

27. Miscellaneous Recommendations:

A. Expenditures:

1. \$884 to Motorola Communications & Electronics, Inc. for two H23BAC-1101 AM, handie-talkie units, a budget item.
2. \$5,598.53 to Park-Son, for Copper Tubing for Water Dept.
3. \$399.97 plus tax to Sears, Roebuck & Co., low bidder, for 15 cu ft refrigerator for fire station No. 2, a budget item.

Councilman Beasley moved to approve expenditures listed under Items 1, 2 and 3. Motion, seconded by Councilman Benstead, carried by unanimous roll call vote of those present (Councilman Blount absent). Councilman Benstead asked, and was told that the items mentioned are American-made products.

PROCLAMATIONS:

28. Mayor Isen proclaimed November 12 to 19, 1961, as BOOKS FROM AMERICA WEEK, and November 19 to 25 as MERCY WEEK, with November 23, 1961, specifically designated as MERCY DAY.

Councilman Vico mentioned a plan in Gardena to use the City buses to transport people interested in the football game which is to benefit the survivors of the persons killed in the Toledo air crash and recommended a similar program for Torrance. The price set is 50¢ each for adults, roundtrip fare, and 25¢ for children. Mayor Isen said if there seems to develop a demand for such bus service, the City Manager and Bus Superintendent may consider themselves authorized to arrange such bus service.

ORAL COMMUNICATIONS:

29. City Attorney Remelmeyer said the question of rezoning the Marble Tract will be back before the Council next Tuesday night, and Mayor Isen asked him to outline the steps the Council may take according to law.

30. Councilman Beasley announced the Inter-City Highway Committee dinner scheduled for Thursday, November 9th at The Thunderbird, has been cancelled for the time being because of illness of Congressman Alphonzo E. Bell, Jr., who was to have been the speaker; a later date will be announced.

31. Councilman Benstead called attention to the two north-south entrances to Torrance which are blocked: Western and Torrance Blvd. and 190th and Arlington. City Manager Peebles said the former will be opened on Friday of next week and the latter will be a short temporary closing, although there will be construction at the intersection for a longer period.

32. Councilman Bradford showed renderings of the Civic Center Youth Recreation Building and asked if it would not be more economical to have a straight flat entranceway, rather than the arched entrance shown which he believes will be very expensive. City Manager Peebles will check this.

33. Councilman Drale mentioned the tragic death of a small child at the Dominguez Channel and stated the responsibility is that of the Los Angeles Flood Control District. City Manager Peebles is to expedite negotiations with the flood control district for whatever is necessary to prevent such occurrences.

34. Councilman Vico asked about the Halison street ditch nuisance and City Manager Peebles said the estimated cost is \$1500 and the crews are working on it. Some weeds, however will not be removed because of the resulting danger of erosion.

35. Councilman Drale welcomed George Morehart back from his recent illness.

36. Mayor Isen stated he is obligated to poll the Council on the nomination of Gus Anastassiou to fill the vacancy on the Civil Service Board. Councilman Beasley said in that event the poll should also be taken on the successor to the Planning Commission vacancy which has existed for a much longer period of time.

Councilman Drale moved to send the recommendation back to another personnel session which all members of the Council are present. Councilman Beasley seconded the motion which failed, as follows:

AYES: COUNCILMEN: Beasley, Bradford, Drale.

NOES: COUNCILMEN: Benstead, Vico, Mayor Isen.

Mayor Isen proceeded to poll the Council, with the following result:

AYES: COUNCILMEN: Beasley, Benstead, Vico, Mayor Isen.

NOES: COUNCILMEN: Bradford

ABSTAIN: COUNCILMEN: Drale.

Councilman Bradford explained his "No" vote as being because Councilman Vico had made a nomination from the Riviera District whom Mr. Bradford thought should also be considered. Councilman Drale favored the appointment of one commissioner by each Councilman, but Mayor Isen said what rights he has as Mayor should not be completely negated.

37. Mayor Isen said he is under a temporary restraining order for interfering with the distribution of a so-called newspaper, WEEKLY PEOPLE on the sidewalks of Torrance. Outside of what he said in Council meeting, he had nothing to do with the physical removal of the racks, or the newspapers if any were contained therein. No one did it at his instance. The racks were placed on the sidewalks at at least one location. He did not believe public officials should be browbeaten into not being able to conduct City business. His original aim was at the racks which he does not believe should be on City sidewalks without City permission. The law thereon should be explored, but there is a section of law governing the racks. There is a large advertisement of the newspaper in connection with the rack as replaced and two 75# concrete blocks to which the rack is chained. Section 18.1.1 said it shall be unlawful for any person to place on any property owned, or leased, by, or dedicated to the City, any material advertising or promoting any person, event, or thing, without having received prior written consent of the City Manager, or the City Council. He determined from City Manager Peebles that his consent had not been given and neither had the consent of the Council. Mayor Isen said the racks constitute a nuisance and that they should be placed within the three feet of City easement right next to the store fronts and the City should have the right to pass on the material contained thereon.

Councilman Drale said what applies to one, should apply to all newspapers.

Councilman Beasley moved to refer the matter to the City Attorney and have him take whatever action he deems necessary under our City ordinances, and with the Chief of Police.

Councilman Vico said he had called the Attorney General's office and asked for advice. He was told the paper could not be eliminated but if the racks and weights are on City property they may be removed.

Councilman Bradford asked if it had not been determined that all citizens should pay equal amounts for removing rubbish, and called attention to the license ordinance, which includes newsracks.

City License Inspector Whitacre said newsracks are not subject to the license ordinance, but "vending devices" are. Therefore, all those machines in which a coin must be inserted are vending devices. Those where the honesty of the customer governs, are not. Nine out of ten are vending devices, however.

Mayor Isen said it makes no difference how many people violate a law, one can be prosecuted. He stated again, in clarification of his stand, that he refers to the weights and the advertising, not the newspaper, as such. Councilman Benstead cited cases where racks are chained to a mailbox, to a STOP sign, etc., and Mayor Isen said they are all violations.

Councilman Drale said the problem should be attacked from the standpoint of the content of the paper; perhaps this type of newspaper should be eliminated.

Councilman Beasley pointed out that the City Attorney should be the one to determine if there has been a violation of a City ordinance and he has authority to go to the Chief of Police and have it enforced.

Councilman Drale seconded the motion previously made by Councilman Beasley.

Mr. Whitacre said on the matter of vending machines, he could go out tomorrow and bill all the people who have devices which come under the vending machine ordinance for license fees. However, he reminded the Council again that he was specifically told by the Council not to go after them for a fee. If the Council does not intend to enforce the ordinance requiring license fees from newspaper vending machines, he requested that the ordinance be amended.

City Attorney Remelmeyer said the ordinance which refers to advertising material is very ambiguous and asked if it could be applied to newspapers. Mayor Isen said it is not being applied to newspapers - but to newspaper racks which carry advertising.

City Attorney Remelmeyer said if the Council wishes some regulation of newspaper racks, he would suggest the Council pass an ordinance directly related to the subject of newspaper racks, setting up whatever conditions the Council desires. He will research the law to see how far it can extend, and draft a proposed ordinance or inform the Council. Unless the City has established a firm legal basis, he felt it unwise to tangle with the American Civil Liberties Union. If the Council would pass an ordinance, for instance, that the newspaper racks must be within three feet of the property line, provide that no chains or fastenings be used, etc., there would be an excellent chance of being able to enforce it.

Councilman Beasley asked for the question on the motion, and roll call vote was as follows:

AYES: COUNCILMEN: Beasley, Benstead, Bradford, Drale, Vico.

ABSTAIN: Mayor Isen.

ABSENT: COUNCILMEN: Blount.

Councilman Drale moved the City Attorney draft a proposed regulatory ordinance for study, as outlined in his comments. The motion was seconded by Councilman Vico and carried by the following roll call vote:

AYES: COUNCILMEN: Beasley, Benstead, Bradford, Drale, Vico.

ABSTAIN: Mayor Isen.

ABSENT: COUNCILMEN: Blount.

38. The Reverend Zimmerman reminded the Council of the breakfast invitation to Councilmen, for November 15, 1961, at 7:30 A.M.

The meeting adjourned at 7:10 P.M.



City Clerk of the City of Torrance
California

APPROVED:



Mayor of the City of Torrance