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Torrance, California
February 4, 1964

MINUTES OF A REGULAR MEETING
OF THE TORRANCE CITY COUNCIL

1. CALL TO ORDER:

A regular meeting of the Torrance City Council was held on Tuesday, February 4, 1964, at 5:30 p.m., in the Council Chamber of City Hall, Torrance, California.

2. ROLL CALL:

Those responding to roll call by City Clerk Coil were:
COUNCILMEN: Beasley, Benstead, Drale, Miller, Sciarrotta, Vico, and Mayor Isen. Also present were City Manager Peebles and City Attorney Remelmeyer.

3. FLAG SALUTE:

At the request of Mayor Isen, Mr. Carl Stefic led the salute to our Flag.

4. INVOCATION:

The Reverend Arthur Nagel of First Methodist Church opened the meeting with an invocation.

5. APPROVAL OF MINUTES:

On motion of Councilman Sciarrotta, seconded by Councilman Beasley, the minutes of the regular meeting held January 28, 1964 were approved as written, there being no objections, deletions, or corrections.

6. APPROVAL OF DEMANDS:

On motion of Councilman Benstead, seconded by Councilman Vico, all bills regularly audited were ordered paid, by the following roll call vote:

- AYES: COUNCILMEN: Beasley, Benstead, Drale, Miller, Sciarrotta, Vico, and Mayor Isen.
- NOES: COUNCILMEN: None.

7. MOTION TO WAIVE FURTHER READING:

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

Mayor Isen gave a brief explanation of Council procedure for the benefit of the audience.

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All matters concerning the City Manager which were considered at this meeting are set forth verbatim in these minutes.

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MAYOR ISEN: Now, then, first of all, gentlemen, did you receive the same communication that I have from the City Manager, asking at 5:30 a personnel session?

COUNCILMAN SCIARROTTA: We have, Your Honor.

MAYOR ISEN: What is your pleasure?

COUNCILMAN SCIARROTTA: I so move that we have a personnel session with the City Manager.

COUNCILMAN DRALE: Let me just say this, Mr. Mayor, in the resolution for Mr. Peebles' dismissal it says that he shall have a public hearing. He's entitled to and I think we should proceed with this particular matter. I don't see where we will gain anything by having any additional things brought to the attention now of the Council. A lot of people have written in here to the City Council to find out why the report from the Attorney General and the District Attorney was not published in the newspapers. I don't know why. They were all submitted and given copies. I would like at this time the privilege of the balance of the Council to have this report read in full to the people here in the audience.

MAYOR ISEN: Well, I think right now you are out of order. I have a motion and second for a personnel session - I took it at this time, is that correct? Who made the motion?

COUNCILMAN SCIARROTTA: I made the motion.

COUNCILMAN MILLER: I second Councilman Sciarrotta's motion.

COUNCILMAN DRALE: I make a substitute motion that the report from the District Attorney and the Attorney General be read.

COUNCILMAN SCIARROTTA: I don't mind reading the report, Mr. Drale, after the personnel session, if that is your pleasure. I would second your motion after we come back. I am not opposed to it because I think maybe the people ought to hear this, but at this particular time -

MAYOR ISEN: Well, I can say that I don't have a second as yet and you can't second it in advance. The motion could be renewed at that time.

COUNCILMAN SCIARROTTA: Well, I am merely telling him that when we come back from this session if he makes the motion, I would be glad to second it, so that the people will hear the report.

COUNCILMAN VICO: Why don't you call for the question on that first motion?

MAYOR ISEN: I am, Mr. Vico, but I can only take one thing at a time and I am trying to do this in as parliamentary a fashion as I know how. Roll call on the request for a personnel session.

AYES: COUNCILMEN: Beasley, Benstead, Miller, Sciarrotta, Vico, and Mayor Isen.

NOES: COUNCILMEN: Drale.

MAYOR ISEN: Now, I would assume, since it is requested by the City Manager that he would be present at this. I don't know whether to assume what the pleasure of the Council is -

COUNCILMAN SCIARROTTA: It's a personnel session with the City Council and I think he's entitled to it so I am very, very happy to -

MAYOR ISEN: Is that the wishes of the people who voted in favor of the motion?

COUNCILMAN SCIARROTTA: Yes.

MAYOR ISEN: All right, Mr. Peebles and your attorney, if you are represented.

MR. PEEBLES: Yes, I am, Your Honor.

MAYOR ISEN: Folks, we will take a recess until this personnel session is completed. I might state this, please, just for a second, for the benefit of the audience, this may or may not appear to you to be an unusual procedure. I can assure you it is not. Under the Brown Act, and Mr. Remelmeyer, you can correct me if I go afield on this, as a brother lawyer, under the Brown Act which provides for all deliberations of the City Councils or committees, or any type of legislative body, that their deliberations be made public, an exception is made on what are called personnel sessions where it is a matter of hiring, firing, dismissing, or going into the qualifications of employees of the City as would be pertinent in this particular case. There is no official action taken but there is wisdom in this particular exception to the Brown Act in that things are probably said within a closed session that are better to be said there. If there is any formal action to be taken as a result of the personnel session it would be done here in open council meeting and within our rules and into our minutes.

COUNCILMAN DRALE: Mr. Mayor, I just want to add one thing. If this is important enough that you have to go into the back room then I think it's important enough for the people here to hear and I think if Mr. Peebles has anything to say this is the place to say it.

MAYOR ISEN: Pardon me, just a second.

COUNCILMAN DRALE: - - and I am not going into the room.

MAYOR ISEN: Just for a minute here. Is my statement correct, Mr. Remelmeyer? Would you add to it or detract from it?

MR. REMELMEYER: No, it is substantially correct, Your Honor.

MAYOR ISEN: All right. I don't think this would be the time for any public discussion although I am not foreclosing it, ma'am, please, on this particular motion, when we come back and before the entire matter is disposed of, if it is disposed of and it must be in open meeting, if anybody has anything to say I can assure you with the wishes of the Council and as the parliamentary officer here, you will be heard. But right now the Council has voted by a six to one vote to go into a closed session, a personnel meeting. I merely wanted to explain to you folks what we are doing.

COUNCILMAN SCIARROTTA: May I ask a question of the City Attorney? When we get back it doesn't necessarily mean that we can divulge to the people here what has taken place.

MAYOR ISEN: Anything - whatever the Council wishes.

COUNCILMAN SCIARROTTA: Yes, so consequently, I mean it isn't going to be something that's going to - because it can't be divulged after we get back.

MAYOR ISEN: The gentleman has his hand up - I'll hear from you briefly, if it not argumentative of the fact -

(The man in the audience wanted to know how long the Council would be in the closed session and Mayor Isen told him he did not know.)

(The Council retired to the Conference Room with Mr. Peebles and his attorney, Mr. Lessin at 5:37 and returned to Council Chamber at 5:50. Councilman Drale did not accompany the others.)

MAYOR ISEN: Please, folks, let's come back to order. Will the heads of departments please be seated inside so we will have as many seats as possible for the audience. Folks, if you see an empty seat, will you please be seated and come in and close the doors. We'd appreciate it.

The record will show that as Mayor, I am handing to the City Clerk a document here which before we proceed - may we close the doors, please?

(It was determined people were standing in the doorways and wanted to hear the proceedings, so only one door was closed.)

MAYOR ISEN: Oh, I'm sorry - I guess we are at capacity. Okay, the record will show that I have handed to the City Clerk a document that Mr. Peebles prepared in the personnel meeting and requested that the Clerk read it into the record. Not that side, let me strike out that side so that we will know - not quite a shortage of paper, but it just happened this way:

CITY CLERK COIL: (reading) "I resign effective February 4th at 5 p.m., 1964, effective immediately. Wade Peebles"

COUNCILMAN MILLER: I move to accept Mr. Peebles' resignation, effective immediately.

COUNCILMAN BEASLEY: Second

MAYOR ISEN: (to a lady in the audience) Yes, ma'am? I would say so. A lot of people are here for and against it and you have a right to be heard. I believe that you can as long as you are short - brief, I mean, and speak specifically on this.

MRS. KAY ARRILLAGA: My name is Mrs. Kay Arrillaga and I live at 18316 Fairview Lane, Torrance. I wish to direct this to Councilman Sciarrotta. I wish to thank you, Councilman Sciarrotta, for calling me the other night on the telephone. I know you are a very busy man and I appreciate your call. At that time you said you were calling because you had received my letter that I had sent to you and to each of the other councilmen, they received the same letter. You also mentioned that you were calling me because you might have, or I might have some questions that you could answer. I talked and when we finished you said to me "Now, if there are any other questions, please feel free to call." and I have felt that I could feel welcome in calling you at any time. I told you at that time I would call you if I had a question

or I would see you at the meeting tonight and say something. There is something that I don't understand in our conversation and I thought maybe tonight you could clarify it. We talked about the Wade Peebles case; we talked about my letter where I had stated I was displeased with the treatment that Wade Peebles had received at the Council meeting last week and if it had been my neighbor or any other man I would have felt the same. We also talked about what happened at the Council meeting and then you said to me, "Well, Mrs. Arrillaga, behind all this is rubbish." Would you please clarify that?

COUNCILMAN SCIARROTTA: The only way that can be cleared is if the Council will permit, is to read the report. It's the only thing. I'm not going to quote from memory what is in the report so consequently the logical thing to do is, if the Council will permit it, as Mr. Drale suggested before we went into the session, that perhaps if the people want to know what happened is to read it, which is a 20 page report. I can't answer unless we get it direct from the record - whatever the record states and I also told you, I think, if you wanted it, that you are welcome to my copy at any time you wanted to read it over, if you so desire.

MRS. ARRILLAGA: And at that time I stated I didn't think I was a privileged citizen and this -

COUNCILMAN SCIARROTTA: Well, we have already made it public to the newspapers and if they didn't print the whole report it's no fault of ours, I told you that.

MRS. ARRILLAGA: What paper can report a 20 page report?

COUNCILMAN SCIARROTTA: Well, I don't know. So, consequently, that is the reason I - I answer all my communications. I never fail to do so so when I got your letter I thought I would call you and explain to you what action was taken. Some of you thought it was rather brutal but there is, I explained to you there is a sort of recourse; that all we did is merely advise the attorney to prepare a resolution for dismissal and of course that is not final. Now, that resolution was supposed to have been presented tonight. Mr. Peebles resigned. And we would have acted on it at this particular time. I told you he has anywhere from two weeks to thirty days in which to ask for a hearing and that we were doing everything according to law and I also told you I felt the report was conclusive and that naturally we had no alternative but to do this. I regret it more than anybody else does.

MRS. ARRILLAGA: May I ask a question and any one of the councilmen may answer this then. For anyone being dismissed in a group; a councilmen, City Manager, and etc. and a report written, do you take the report word for word without asking the man accused to defend himself about what the report is concerned?

COUNCILMAN SCIARROTTA: This comes from the Attorney General's office and it was taken, verbatim, in other words, right word for word. It isn't a matter of contorting or anything like that. It's word for word, yousee.

MRS. ARRILLAGA: Yes, but wouldn't the councilmen also want to ask him directly and not just from someone who had done a report?

COUNCILMAN SCIARROTTA: Well, we certainly would have given Mr. Peebles his chance of a hearing.

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COUNCILMAN BEASLEY: Your Honor, I think this had better be discussed at one side. We can't take up seven mens' time and all these people here.

MAYOR ISEN: We've got an awful lot of people here and the lady is certainly entitled.

MRS. ARRILLAGA: All right.

COUNCILMAN SCIARROTTA: Well, I am willing to stay here until two o'clock in the morning as far as that's concerned, to answer questions.

MAYOR ISEN: Yes, Mrs. Craig?

MRS. CRAIG: I have a letter addressed to the City Council, may I read it? I didn't have a chance to get it on the agenda.

MAYOR ISEN: What is the pleasure of the City Council?

COUNCILMAN VICO: Yeah, let her read it.

MAYOR ISEN: Mrs. Craig is a member of Parks and Recreation Commission.

"Honorable City Council:

"I was present at your meeting on January 28, 1964, when the Resolution to dismiss Wade Peebles as City Manager was passed 5 - 2. To say that I was shocked, is putting it mildly.

"As a member of the Parks & Recreation Commission, I have worked with Mr. Peebles on many occasions and have always found him very efficient, cooperative and capable. I know that he has worked hard and long for our City, and I feel that he has done an excellent job.

"Mr. Peebles was not heard - was not permitted to read the "Secret Report" - and was presumed guilty of some alleged misconduct involving the Police Department. This treatment is anything but fair and should be protested.

"I do not understand why, if the report was such a "secret" document, Mr. Beasley delivered his copy to Mrs. Drale. Furthermore, why, as admitted by Mr. Drale, he went over it pretty thoroughly with his wife.

"As Torrance residents, it would appear there is not much we can do at this time - the fate of Mr. Peebles rests with you gentlemen, the City Council. However, as Torrance voters, there is something we can do - in April, at the next Municipal Election.

Very truly yours,

Mrs. Rose Craig
4110 Carmen Avenue
Torrance, California"

MAYOR ISEN: Mrs. Craig, will you hand your letter to Mr. Coil to be a part of the proceedings the same as if it had been mailed? Anyone else, folks? Let's move along.

COUNCILMAN DRALE: I would like to move at this time, Mr. Mayor -

MAYOR ISEN: I have a motion and second. You are out of order until it is disposed of, Mr. Drale. The motion is to accept the resignation - and a second.

COUNCILMAN DRALE: Oh, I'm sorry. I don't want to pass that up.

MAYOR ISEN: I'm not trying to go too fast here because if anybody wants to be heard, but nobody raised their hand.

COUNCILMAN BENSTEAD: Well, I think before this gets into effect, you had better read Article 20, I believe, and the three letters, or four letters, whichever they may be and have those read, please.

MAYOR ISEN: Article 20.

COUNCILMAN BENSTEAD: I think it's 20.

MAYOR ISEN: What's the pleasure of the Council?

COUNCILMAN DRALE: It looks like everybody is reading - if I may, now, Mayor, just for a moment.

MAYOR ISEN: Wait, Mr. Drale, I am not trying to stop you. I'm just trying to take one thing at a time. Mr. Beasley has suggested that -

COUNCILMAN BENSTEAD: I am not Mr. Beasley.

MAYOR ISEN: Sorry, I made a mistake - Mr. Benstead - he is suggesting a letter from Mrs. Arrillaga and I think she is the lady who spoke already, be read - Mrs. Shelbourn, be read, and Hannah Saville be read, and Hatfield. Now, the Council has read them all.

COUNCILMAN BENSTEAD: I think the people want to have them read.

COUNCILMAN DRALE: All right, now, I'm just asking for a little fair treatment.

MAYOR ISEN: You'll get it.

COUNCILMAN DRALE: Are you considering his request now? I am asking that the report be read.

MAYOR ISEN: I am trying to find out from the Council. Here they have four lengthy letters. I am not going to decide it myself - whether they should be read. Let's try to dispose of that and then I'll get back to you.

COUNCILMAN BEASLEY: You've got another motion -

COUNCILMAN SCIARROTTA: May I say something, Mr. Mayor?

MAYOR ISEN: Can't take another motion and second -

COUNCILMAN SCIARROTTA: May I say something?

MAYOR ISEN: Wait till I rule, please. I can't take another motion and second, when I have a motion and a second before me already. Right, Mr. Remelmeyer?

MR. REMELMEYER: That's correct.

COUNCILMAN DRALE: Well, I move for the question and let's get under way.

MAYOR ISEN: Well, let's see if we can get a second on the question, then.

COUNCILMAN BEASLEY: Second.

MAYOR ISEN: All right. No, on the question; he's moving the previous question which he has a right to do. And I'm not foreclosing you, Mr. Benstead. You have a perfectly legal -

COUNCILMAN BENSTEAD: Well, whether you are or not, I am just thinking.

MAYOR ISEN: Well, I happen to know enough about parliamentary procedure here and I know how I feel on this matter, but I am trying to get impartial chairmanship of the meeting. The motion for the previous question, seconded, has all priority; there is no argument; if it fails then we go on from there. If it carries, then we take the motion. Is that not right, Mr. Remelmeyer?

MR. REMELMEYER: That's right.

MAYOR ISEN: All right. Roll call on the motion for the previous question.

AYES: COUNCILMEN: Beasley, Drale, Miller, Sciarrotta, Vico.
NOES: COUNCILMEN: Benstead, Mayor Isen.

MAYOR ISEN: All right, now the previous question is in order and the motion and second was to accept the letter of resignation. Roll call, please.

AYES: COUNCILMEN: Beasley, Benstead, Drale, Miller, Sciarrotta, Vico.
NOES: COUNCILMEN: Mayor Isen (Councilman Benstead later changed his vote to "No").

MAYOR ISEN: My vote is "No" for the reasons I stated last week in detail. All right, we're without a City Manager then.

COUNCILMAN BEASLEY: Move the regular order of business.

MAYOR ISEN: I think before we do that I would move to appoint

COUNCILMAN DRALE: I'd like to move that Mr. Ed Ferraro be Acting Temporary City Manager. of the City of Torrance

COUNCILMAN MILLER: Second.

COUNCILMAN SCIARROTTA: I'd like to second that motion. Oh, you have already seconded it. Mr. Miller has already seconded it.

COUNCILMEN MILLER: At what salary?

COUNCILMAN BEASLEY: First step.

COUNCILMAN BENSTEAD: Whatever it is.

COUNCILMAN DRALE: Acting City Manager.

MR. REMELMEYER: I just want to get this straight. You mean the City Manager's pay scale.

COUNCILMAN BEASLEY: The motion is for Acting City Manager.

MAYOR ISEN: Will you add there "temporary" that's what you mean, is it not?

SECRETARY: I have "temporary".

COUNCILMAN BEASLEY: He can only be an acting city manager.

MAYOR ISEN: Well, so the record is extremely clear, that's the intent of the motion isn't it?

COUNCILMAN DRALE: That's right.

MAYOR ISEN: If this carries, Mr. Ferraro, will you accept it?

MR. FERRARO: Yes, sir, very honored to.

MAYOR ISEN: All right, roll call, please.

AYES: COUNCILMEN: Beasley, Benstead, Drale, Miller, Sciarrotta, Vico, and Mayor Isen.

NOES: COUNCILMEN: None.

MAYOR ISEN: Now, Mr. Drale, I am not going to foreclose you. If you have any further motions on this matter, let's hear from you.

COUNCILMAN DRALE: Well, I think the people here would like to hear the contents of the report, as long as Mr. Benstead and everybody else is insisting on communications being read.

MAYOR ISEN: No, Mr. Benstead did not get his communication read.

COUNCILMAN BENSTEAD: No, I didnt. You beat me out of that, Mr. Drale.

COUNCILMAN BEASLEY: Mr. Drale, I'd like to offer a motion at this time. I move that the report from the Attorney General be made a matter of official record, as well as the three letters Mr. Benstead talks about and which are a part of our official record tonight, and be placed on record in the City Clerk's office and copies be furnished to those under our regular procedure, whoever wants it.

COUNCILMAN MILLER: Second

CITY CLERK COIL: At regular fee schedule.

COUNCILMAN BEASLEY: Yes, there will be a small duplicating fee.

COUNCILMAN SCIARROTTA: Yes, I think the people are entitled. If they want to read this, they should read it.

COUNCILMAN BEASLEY: I am doing that because the newspapers did not publish it and I don't think anything should be kept from the people.

(someone in the audience asked what procedure should be followed to obtain copies)

MAYOR ISEN: See City Clerk and pay the duplication charge, whatever it is, it would be very, very nominal, and I guess that would be available - give them a few hours to get the thing into the mimeograph, etc.

CITY CLERK COIL: They would be available by noon tomorrow.

MAYOR ISEN: By noon tomorrow, huh, and this means that anybody who - approximately what do you think the charge on this thing is to mimeograph?

MR. COIL: I'll have to check.

MAYOR ISEN: Of course, it depends on the volume of these things too. Anyway, folks it will be very, very nominal, to reimburse the time and paper.

COUNCILMAN VICO: Whose campaign fund does the money go into?

MAYOR ISEN: Roll call on Mr. Beasley's motion.

AYES: COUNCILMEN: Beasley, Sciarrotta, Miller, Vico, and Mayor Isen.

NOES: COUNCILMEN: Benstead, Drale.

(Mr. Sciarrotta asked for repeat of the motion and commented "Naturally, absolutely, yes." and Mr. Benstead said "They can get that anytime".)

MAYOR ISEN: What happened, five to two again.

SECRETARY: Five to two.

MAYOR ISEN: All right. Im going to declare a ten minute recess in case there are people who are interested in this matter and wouldn't be back with us. You are certainly all invited to stay with us and see the wheels of government grind slowly, but surely.

(During this recess Councilman Benstead asked the Minute Secretary to change the record so as to show his vote on acceptance of the resignation of the City Manager, to be "No".)

The recess was taken at 6:05 and after convening again,

MAYOR ISEN: Ladies, ladies, I should announce there will be some further discussion on the Council's previous action. Anybody that's interested. I am sorry this came up after adjournment, but I think in fairness I should indicate that the matter is not completely disposed and it won't be for several minutes yet. First of all, Mr. Benstead has asked for personal privilege in regard to a motion.

COUNCILMAN BENSTEAD: Yes, I want my motion on the disposal of Mr. Peebles to be marked "No".

MAYOR ISEN: You mean dismissal?

COUNCILMAN BENSTEAD: I mean dismissal, yes.

MAYOR ISEN: There's enough room here. Can we occupy the chairs. Now -

COUNCILMAN DRALE: Well, how does that vote stand? 5 to 2?

MAYOR ISEN: 5 to 2, yes.

COUNCILMAN MILLER: This motion you are changing your vote on. Is it on accepting his resignation?

MAYOR ISEN: That's right.

COUNCILMAN BENSTEAD: Yes.

MAYOR ISEN: Now, then, Mr. Remelmeyer, I think you had better put your microphone up there so everybody can hear you and convey the information.

MR. REMELMEYER: It's up. I think you gentlemen should rescind your action making the Attorney General's report public. At this time I do not know whether or not the City would be liable in a defamation suit. It probably isn't, but I don't know for sure. I think you should give me a chance to check that out. Therefore, I request that you rescind your action and give me a week to find out because this I think is a matter of great interest to the City. I don't want us to be sued for damages and I could have an answer by next Tuesday night if an answer is at all possible.

COUNCILMAN SCIARROTTA: Well -

MAYOR ISEN: Wait a minute - there's a man raising his hand. Did everybody hear Mr. Remelmeyer? Just a second, we have an interested audience - did everyone hear? Yes, I will assume that everybody heard. Now, Mr. Sciarrotta?

COUNCILMAN SCIARROTTA: Yes, I would like to ask you a question. In view of the fact that these reports were handed out to the newspapers, it has already been made public, even though it was not published. How is your ruling going to affect that?

MR. REMELMEYER: That is an action of each councilman individually, not of the City as a City. Each councilman takes his own chances with his own actions with regard to the laws of libel but as City Attorney I advise you as a body and, therefore, I would say as a city I think it's bad judgment to release that report at this time.

MAYOR ISEN: Now, this gentleman in the audience, I think he has priority. You had better come forward.

MAN IN THE AUDIENCE: You can hear me from here.

MAYOR ISEN: All right, identify yourself.

MAN: I am Ollie R. Harrison of 5115 Scott St., Torrance.

MAYOR ISEN: Mr. Harrison?

MR. HARRISON: In regards to this case, the Attorney General's report, as a citizen of the State of California and of the City of Torrance, I feel we have the right and privilege to hear everything that's in the report. I am not in favor of holding anything secret under the table, sir. That's all.

MAYOR ISEN: Mr. Lessin?

MR. LESSIN: I was present at the hearing and I feel that unless the entire report -

MAYOR ISEN: Whoa - hold everything - identify yourself, name, address, and I know you are here in your capacity as attorney so you had better -

MR. LESSIN: Irving Lessin, Attorney for Wade Peebles.

MAYOR ISEN: And address, please.

MR. LESSIN: 1609 Cravens, Torrance. I feel that the report as you gentlemen received it, was tainted with half-truths and it is an unfortunate thing to say about the Attorney General. I feel that if the report is to be released and I have no objection to its release, I request that you gentlemen request the Attorney General to furnish the entire report and not the piecemeal report.

MAYOR ISEN: Now are you talking about the report -

MR. LESSIN: The report that has been furnished.

MAYOR ISEN: Wait, you talk about the report. We know they have been investigating since July 10th.

MR. LESSIN: We are asking for the report on the Jahn incident - the one that was handed to you gentlemen last week. We want the entire report - we want the whole truth and not the half truth and half lies that the Attorney General has released to the newspapers.

COUNCILMAN MILLER: Well, certainly if the City Attorney - let's be rational about this - tells me we are subject to a libel suit, I'm not about to take on a lawsuit. I'll wait one week at least.

COUNCILMAN BEASLEY: Me too. I think the public should know what was in the report and I so stated last week when I was very insistent the newspapers get a copy of the report. Now, someone mentioned tonight about me taking my report down to Mr. Drale's wife. Before I even took that down to Mr. Drale's wife, one of the newspapers had already contacted me and had already read the report so obviously it wasn't very confidential, even at that time, so Mr. Drale being out of town, I didn't want to make Mr. Remelmeyer make a trip all the way from Hollywood Riviera to North Torrance, I volunteered about five minutes before five to take my report down there so he might read it and because I had been contacted by newspapers that had read the report, I felt it was no longer a private report, but I certainly am going to heed this City Attorney's advice and move for reconsideration of our previous motion.

COUNCILMAN DRALE: Now, if I may, Mr. Mayor, I think it's my turn.

MAYOR ISEN: May I see first if there is a second to his motion? I'll second it if -

COUNCILMAN MILLER: I second it.

COUNCILMAN DRALE: You know there's a lot of things being said here that to me, I wouldn't understand because when attorneys speak and say that the Attorney General and the District Attorney are telling lies, the Attorney General and the District Attorney of this great state and County, when everybody that has reported to the Attorney General and the District Attorney were under oath when they made these statements, this report, are statements that were made from the people that were asked to be present before the Attorney General and the District Attorney and they swore under oath that they were telling the truth. Now, I don't know how anybody could misinterpret that. Now, if the report is not complete there is sufficient evidence in here for me to take the action that I have taken. The statements were made at first that they were false. We had a big argument here about why they shouldn't be able to take a lie detector test, so we invited the Attorney General down and the District Attorney down and they came down

and he said if these men would come up and correct the statements that they had made - in other words, the conflicting statements - if they corrected the statements and told the truth, they would not have to take a lie detector test. So they swore under oath again, including Mr. Peebles. Now, I personally - I know that there are things in here that I am reluctant to reveal to the public but it seems to me that I am being singled out here that I am trying to withhold information that I think the public should have. Several letters were written here that - I'd like to read Mrs. Arrillaga's, she says:

"Why was the report a secret report?"

I tried to make the report public. I couldn't help it that I was in Sacramento and Mr. Beasley brought the report over to my wife. We do a lot of reading together. I don't think that's bad. Sometimes two minds are better than one.

(Mrs. Arrillaga interjected a remark that was not distinguishable)

I am trying to help you, dear, I want to make it public. I want everybody to have a copy.

(Another inaudible remark from Mrs. Arrillaga)

Well, I voted that way.

COUNCILMAN BEASLEY: We all voted that way.

COUNCILMAN MILLER: I have a suggestion to make. I am not going to have this city stand in jeopardy of a lawsuit until the Attorney tells us what direction we are heading. Now, I think it should be of record that any councilman that wishes to release this, as an individual, on his own responsibility, let him do so, but we are not acting on behalf of the City. We've got one week to find out where we stand, legally.

COUNCILMAN DRALE: You don't want to make this report a matter of record?

COUNCILMAN MILLER: I want to make it a matter of record but over his advice, I won't.

MAYOR ISEN: That's what we have a City Attorney.

COUNCILMAN DRALE: Now if we have his advice, are you objecting that it become a matter of record.

MR. REMELMEYER: Yes, until I am satisfied that the City is not liable for a suit for defamation by Mr. Peebles for releasing it.

COUNCILMAN MILLER: You know who pays lawsuits, the taxpayers.

MR. REMELMEYER: Let's be certain.

MAYOR ISEN: Now, Vico, you have the floor next.

COUNCILMAN VICO: Yeah, I don't want to go to jail. If you want to, you go ahead. I like it out here. I'd like to say something, Your Honor.

MAYOR ISEN: Go ahead.

COUNCILMAN VICO: Are there any more reports coming?

MR. REMELMEYER: Yes.

COUNCILMAN VICO: Where are they?

MR. REMELMEYER: Well, the Attorney General has not completed them yet.

COUNCILMAN VICO: When will we get them, do you know?

MR. REMELMEYER: Well, we'll get one by the next Council meeting and the third one, probably a couple of weeks later.

COUNCILMAN VICO: You know, I got a sneaking hunch, we'll probably get a few more things in the next two reports. Now, I don't know what they will say - Mr. Lessin was up there - I wasn't, but we're liable to get a little more information than we have. Maybe we can carry it a little further. I don't care. I mean, I'm not going any place. You have no idea when we'll get them?

MR. REMELMEYER: Well, you will probably get another one by next Tuesday and -

COUNCILMAN BENSTEAD: How do you know this, Mr. Remelmeyer?

MR. REMELMEYER: I have been so informed by the Attorney General, that's how.

COUNCILMAN BENSTEAD: Why don't they tell us the same thing?

MR. REMELMEYER: I don't know why they don't.

MAYOR ISEN: I am going to ask this lady if she wants to say something. Did you want to say something, ma'am? All right, well, we'll yield the floor to you.

MRS. JENSEN: My name is Shirley Jensen. I live at 22422 Anza Avenue in Torrance and at this time I would like to thank Mr. Peebles for all the help he has given me as a citizen and I am sure he gave a lot of other people help. As far as I am concerned in his executive capacity he did a very fine job and I was very proud of him. Thank you.

MAYOR ISEN: All right. Now, we are back to a motion to reconsider. Wasn't that what the motion was?

COUNCILMAN MILLER: All right. May I add something to that, or at least bring it up for suggestion?

COUNCILMAN BEASLEY: We have to pass this motion first.

MAYOR ISEN: Yes, approval of reconsideration before we rescind our previous action, Mr. Miller. Anything further on the motion to reconsider? To reconsider this release of the report? Roll call on the motion to reconsider:

AYES: COUNCILMEN: Beasley, Benstead, Miller, Sciarrotta, Vico, and Mayor Isen.

NOES: COUNCILMEN: Drale.

MAYOR ISEN: Now a motion would be in order to rescind the motion to make the report public by the Clerk reproducing it.

COUNCILMAN BEASLEY: I move that -

COUNCILMAN VICO: Second.

COUNCILMAN BEASLEY: . . . that we delay making the report public until such time as the City Attorney has researched the law to determine the liability of the City in the matter and that action will be taken next Tuesday night based upon his report.

MAYOR ISEN: We haven't rescinded the previous motion, have we? We have merely opened it up for rescission so we must vote first to rescind the previous motion.

COUNCILMAN BEASLEY: I move to rescind the previous action of the Council.

MAYOR ISEN: And if you are not familiar with what it is by now, Edith can read it to you, but I think we all know what it is.

COUNCILMAN BEASLEY: We all know what it is.

COUNCILMAN SCIARROTTA: I'm confused - I want to know what it is.

EDITH SHAFFER: You moved to reconsider - not necessarily to rescind.

MAYOR ISEN: That passed - so now we are reconsidering - it is in order, if you want it, gentlemen, to rescind the motion to make the report public via the Clerk's office.

COUNCILMAN SCIARROTTA: All right, I so move.

COUNCILMAN VICO: Second.

MAYOR ISEN: Roll call.

AYES: COUNCILMEN: Beasley, Benstead, Miller, Sciarrotta, Vico, and Mayor Isen.

NOES: COUNCILMEN: Drale.

MAYOR ISEN: Now we are open, completely on this subject.

COUNCILMAN BEASLEY: Then my original motion I would like to make that we postpone action until next Tuesday night of making the record public pending a report from our City Attorney as to the City's liability in the matter.

MAYOR ISEN: I don't know if I can accept your motion of getting it properly because it would automatically carry it. I think it would be better to table the thing until next Tuesday pending the City Attorney's report. Wouldn't that be better, Mr. Remelmeyer?

MR. REMELMEYER: Well, you don't have anything before you on the matter. Now that you have rescinded it, you might direct me to research this law and bring in a report by next Tuesday.

MAYOR ISEN: See what I mean? Otherwise.

COUNCILMAN SCIARROTTA: I move -

COUNCILMAN BEASLEY: Let the record show that we asked the City Attorney to bring us in a report.

MAYOR ISEN: No, let's go further than that - make a motion on it.

COUNCILMAN SCIARROTTA: I move that the City Attorney research the law and report to us as soon as possible, next meeting, if at all possible, to determine whether or not this report can be made public without the City being liable.

COUNCILMAN MILLER: Second.

MAYOR ISEN: All right. Now, that Harvard diploma might really hold you in good stead, huh, Stan?

MR. REMELMEYER: I wish there were a little more law on this subject.

MAYOR ISEN: All right, Mr. Drale.

COUNCILMAN DRALE: One point. Are you removing the report from the record?

MAYOR ISEN: It has never been in there as a result of these rescissions that were accomplished.

COUNCILMAN SCIARROTTA: Well, I think what Mr. Drale wants is to make this controversy which we have been having a part of the record.

MAYOR ISEN: Oh, all of this discussion -

COUNCILMAN DRALE: No, that's not so. The point that I am trying to make is this can still be in the record and not delivered for a week.

MR. REMELMEYER: Well, the report itself is not a matter of public record.

COUNCILMAN DRALE: A motion was made to make it a part of the public record.

MAYOR ISEN: We have rescinded that.

COUNCILMAN DRALE: All right, then, that eliminates that from the record. All right, then, that's all I want to know. You've got a "No" vote here again.

COUNCILMAN BENSTEAD: I have a question, if you don't mind. What are you going to do about this report that has been handed out and everybody has seen it?

MR. REMELMEYER: I can't rescind that.

MAYOR ISEN: What Remelmeyer is talking about is the responsibility of the City in this matter -

COUNCILMAN BENSTEAD: That's what I want to bring out -

MAYOR ISEN: Whether the governing body should release it in the name of the City Council and I think you are being very wise in calling that to our attention. Now, I have a roll call on the instruction to you, Mr. Remelmeyer, to research the law and give us an opinion on this question for next Tuesday. All right, roll call:

AYES: COUNCILMEN: Beasley, Benstead, Miller, Sciarrotta, Vico, and Mayor Isen.

NOES: COUNCILMEN: Drale.

MAYOR ISEN: If you want to read the report for your own individual responsibility, you can.

COUNCILMAN DRALE: No, that isn't the point, Mayor, I think the report should be a matter of public record, that's all I've got to say and that's where I am standing.

COUNCILMAN BEASLEY: All we are doing is seeing if we would be liable.

COUNCILMAN DRALE: That doesn't make any difference. Mr. Jahn has a lawsuit against the City too - don't forget that - and that's going to be affected by the report - his lawsuit.

COUNCILMAN MILLER: Two lawsuits don't make a right.

COUNCILMAN DRALE: I'm not trying to defend the lawsuits, Mr. Miller, I'm just as interested in saving the City money, as well as anybody else on this Council is.

COUNCILMAN VICO: What's the hurry. Can't we wait a week?

COUNCILMAN BEASLEY: All we are doing is waiting a week.

COUNCILMAN VICO: I mean, it is all right to wait a week. What -

COUNCILMAN DRALE: It could still be made a matter of record and not hand out the reports for a week, Mr. Vico. I don't want to read it, I just want to make it a part of the record.

MAYOR ISEN: You can either read it, or you don't, on your own responsibility.

COUNCILMAN BEASLEY: I move the regular agenda, Your Honor.

MAYOR ISEN: Well, I guess that's that, and will be until next Tuesday.

The Council then proceeded to consider the matters listed on the regular agenda for the evening's meeting, as follows:

8. FINAL TRACT NO. 22324 - R. A. Watt (resubmitted) 37 lots located south of Sepulveda, westerly and southwesterly of Maple Avenue and 235th Street. Recommended for approval by Planning Department and Planning Commission.

112'
22324

Councilman Drale stated a new homeowners' group is being formed in this area and there are many complaints regarding the homes and their construction. Mayor Isen asked that the Council first act on the tract map.

Councilman Beasley moved to concur in the recommendation of the Planning Commission to approve the Final Tract Map. His motion was seconded by Mayor Isen and carried by unanimous roll call vote.

Mayor Isen indicated he had also heard complaints and Councilman Drale related some that had been reported to him. Mayor Isen instructed Acting City Manager Ferraro to indicate to Mr. Watt some of these complaints which should be ironed out with the homeowners.

Councilman Sciarrotta said he had attended one of the homeowners' meetings at which Mr. Watt was represented and his impression was that the matters had been settled quite well with

one minor exception involving the width of eaves of one house. Councilman Drale said he attended a meeting last night and the changes had not been made.

Mr. Jack Saling of 22640 Juniper in the Palo Del Amo Tract under discussion, said he feels Mr. Watt has been avoiding the homeowners' association and he does not feel Mr. Watt has been showing very much cooperation.

Mayor Isen asked City Clerk Coil to see that this portion of the record is conveyed to Mr. Saling. Councilman Beasley remarked that Ray Watt does not have anything to do with the construction; that is the responsibility of Bill Watt, his brother.

1036
63-52 9. WAIVER NO. 63-52 - Nelson M. Stinson, requesting side yard waiver of 2 feet to add an additional room to existing house, located at 2709 Ridgeland Road in Zone R-1. Recommended for approval of Council by Planning Department and Planning Commission.

Councilman Miller moved to concur in approval and his motion, seconded by Councilman Beasley, carried, there being no objection.

1036
63-53 10. Waiver No. 63-53 - William A. Buckley, requesting rear yard waiver of 13'6" for addition to existing residence located at 228 Via Alameda, Zone R-1. Recommended for approval by Planning Department and Planning Commission.

Councilman Beasley moved to concur in approval of granting this waiver and his motion, seconded by Mayor Isen, carried, there being no objection.

1036
64-1 11. Waiver No. 64-1 - Torrance Knolls, requesting a side yard waiver of 6" for existing house located 4½' from the property line. Property located at 22903 Juniper Avenue, Zone R-1. Recommended for approval by Planning Department and Planning Commission.

Councilman Miller moved to concur in approval and his motion, seconded by Councilman Sciarrotta, carried, there being no objection.

1030.3 12. Proposed new zones (resubmitted). Planning Commission Chairman, with concurrence of City Manager, submitting proposed new zones for the South Torrance Oil Fields.

Councilman Beasley moved to table this item for six months and his motion was seconded by Councilman Sciarrotta.

There was some discussion of achieving the same net result by use of variance procedures, although Planning Director Shartle said the zoning procedure would be preferable in his opinion. Councilman Beasley thought the Council would be in a better position to judge six months from now. Mr. Shartle asked if the Council would be willing to consider the two proposed new zones separately. Mayor Isen said he believed some action should be taken on the R-H zone.

Mayor Isen moved as a substitute that on the first part, Planning be instructed to proceed to create the new R-H zone which would permit a single-family residence on each lot and would be granting a conditional use permit for keeping of horses under certain circumstances. Councilman Miller seconded and there being no objection the motion carried.

As to the second portion of the item, Councilman Beasley moved it be tabled for six months and his motion, seconded by Councilman Drale, carried, there being no objection.

The Planning Director will furnish a map of the area to facilitate its study.

13. Off-Street Parking (resubmitted) Planning director Shartle with concurrence of City Manager, submitting proposed revisions to the off-street parking regulations. 1037
GEN

Councilman Sciarrotta moved to concur in approval of the revisions described and his motion, seconded by Mayor Isen, carried as follows:

AYES: COUNCILMEN: Benstead, Miller, Sciarrotta, Vico,
Mayor Isen.

NOES: COUNCILMEN: Beasley, Drale.

14. Ordinance on Planning Commission Case No. 63-81, Thrifty Building Service. Planning Director submitting for approval at first reading proposed ordinance. 1033
63-81

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

ORDINANCE NO. 1459

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING APPENDIX I OF "THE CODE OF THE CITY OF TORRANCE, 1954" (ADOPTED BY ORDINANCE NO. 791), RECLASSIFYING THAT CERTAIN PROPERTY DESCRIBED IN PLANNING COMMISSION CASE NO. 63-81. (Thrifty Building Service).

Councilman Miller moved to approve Ordinance No. 1459 at its first reading. His motion was seconded by Councilman Benstead and carried by unanimous roll call vote.

15. Proposed Ordinance on Planning Commission Case No. 63-80, C. B. Verburg. 1033
63-80

Councilman Miller said the attorney for the Verburgs had tried to get in touch with the City Attorney to have this reading of ordinance postponed one week, but Mayor Isen said the second reading would not occur until next week anyway. Don Elder, the architect was present and explained the reason for the request as being the seven foot strip. He was told the second reading on the ordinance will be next week, and discussion can be had at that time.

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

ORDINANCE NO. 1460

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING APPENDIX I OF "THE CODE OF THE CITY OF TORRANCE, 1954" (ADOPTED BY ORDINANCE NO. 791), RECLASSIFYING THAT CERTAIN PROPERTY DESCRIBED IN PLANNING COMMISSION CASE NO. 63-80. (C. B. Verburg).

Councilman Benstead moved to approve Ordinance No. 1460 at its first reading. His motion was seconded by Councilman Drale and carried by unanimous roll call vote.

WRITTEN COMMUNICATIONS:

- 1062 16. Request of District Health Officer to park Mobile X-Ray Unit at the corner of Cabrillo and El Prado, March 9 and 10, 1964.

Councilman Beasley moved to concur in approval and Mayor Isen seconded and asked that Acting City Manager Ferraro publicize same. There was no objection.

- 1080 17. Notice of meeting of Board of Directors of Los Angeles County Division of League of California Cities.

The councilmen took note of the meeting.

- 1000 18. Communication from Ticket Committee Chairman regarding testimonial dinner for Supervisor Hahn.

Mayor Isen moved to prepare the proper resolution honoring Supervisor Hahn, or to make a composite resolution embodying the previous resolutions in his honor. Councilman Sciarrotta seconded the motion which carried, there being no objection.

- 1174
JAHN 19. Claim submitted by Robert Jahn for alleged damages against the City of Torrance in the amount of \$500,000 for malicious prosecution, false arrest, libel and slander.

Councilman Miller moved to deny and refer the claim to the Legal Department. His motion was seconded by Councilman Benstead and there was no objection.

20. This item was covered in the first part of the meeting and is reported verbatim in these minutes.

ELECTION MATTERS:

- 1089
GEN 21. Communication from City Clerk re hours of closing polls in General Municipal Election to be held April 14, 1964.

Councilman Beasley moved to concur in approval of keeping the polls open from 7 a.m. to 7 p.m., as in the past. Councilman Benstead seconded and roll call vote was unanimously favorable.

- 1295
STORM DRAINS 22. COMMUNICATION FROM FINANCE DEPARTMENT:

Request for waiver of penalty for Philip R. Coghill, dba Bay Area Construction, in connection with contract to construct storm drain in Hawthorne Avenue.

Councilman Drale asked for an explanation and City Engineer Nollac said that knowing what is now known, Mr. Cogbill should have been given a longer period to complete the work. Councilman Benstead asked why, if he was willing to accept that given him, and Mr. Nollac said there were unforeseen delays. This contract was properly let by public bid and the money appropriated from the Drainage Improvement Fund for District 7-B, somewhere around \$70,000.

Councilman Beasley seconded the motion of Mayor Isen to grant the relief and concur in the recommendation of the Finance Director - 28 days at \$50 per day.

Roll call on the motion to concur was:

AYES: COUNCILMEN: Beasley, Drale, Miller, Mayor Isen.

NOES: COUNCILMEN: Benstead, Sciarrotta and Vico.

Councilman Drale immediately asked that his vote be changed to "No" but Finance Director Scharfman called attention to his communication, stating no recommendation was made. Only the facts of the matter were presented to the Council because of Mr. Cogbill's request that the penalty clause in the contract be waived. This cannot be waived by Administration, but by the Council only. City Attorney Remelmeyer confirmed Mr. Scharfman's statement.

Mayor Isen summarized the question before the Council in this regard. Councilman Sciarrotta said he thought the only days excused should be those on which it rained.

Mr. Cogbill was present (address 17006 Kornblum Avenue) and stated he is a resident and a voter of Torrance set forth his opinion on the subject and outlined the reasons for not rushing the job, working at "half-throttle", the principal one being to avoid the rainy season and cooperate with the Flood Control District in their adjacent construction.

It was agreed the City of Torrance did not lose any money because of the project not being finished sooner and the completed job is an excellent one.

Councilman Vico asked that his vote be changed to "Yes" which would make the vote at this time 4 to 3 in favor of waiving the penalty clause. Councilman Sciarrotta also changed his vote after hearing a full explanation and thus the result was 5 to 2, as follows:

AYES: COUNCILMEN: Beasley, Miller, Sciarrotta, Vico,
Mayor Isen.

NOES: COUNCILMEN: Benstead, Drale.

Councilman Benstead said in other cases of similar nature before the Council the consent was given before the job was done. Councilman Drale stated if the City Engineer had thought more time should be granted, a memo should have been sent to the Council asking for an extension which would undoubtedly have been granted. Councilman Sciarrotta again explained his change of vote because of the additional information which he felt should have been supplied at the first.

A recess was declared at 7:10 and Council reconvened at 7:20.

COMMUNICATIONS FROM ENGINEERING DEPARTMENT:

23. Award of contract - Installation of sanitary sewers in Maricopa Street from Avis Avenue to 700 feet westerly. Recommendation from City Engineer Nollac with concurrence of City Manager that Martinez Sewer Co. be awarded the contract. 1338

Councilman Sciarrotta moved that Martinez Sewer Co. be awarded the contract at the low bid of \$3,844.25 and all other bids be rejected. His motion was seconded by Councilman Drale and carried by unanimous roll call vote.

24. Award of contract - Improvement of St. Andrews Place from 186th Street to 182nd Street. Recommendation from City Engineer with concurrence of City Manager that contract be awarded to McAmis Engineering for Alternate "A" for a bid of \$12,512.60. 1135
ST. ANDREWS

Councilman Benstead moved to concur in the recommendation to so award the contract and reject all other bids. His motion was seconded by Councilman Sciarrotta and carried by unanimous roll call vote.

1040
x 1053
BIDS & PUR. 25. Charge for plans and specifications on City Projects.

The recommendation is that all plans and specifications issued to contractors for the purpose of bidding on city projects be handled as a cash sale and not as a refund of deposit; (2) that the charges for the plans be set up on a scale depending upon our out-of-pocket costs and such charges will vary with the size and amount of the actual plans and specifications.

Councilman Beasley moved to concur and his motion was seconded by Councilman Sciarrotta. Director of Finance Scharfman stated he felt it would apply only to plans and specifications on "street work" and City Attorney Remelmeyer said a City cannot sell plans and specifications; the only feasible method would be by a deposit method. Based on Mr. Scharfman's remark, Mayor Isen asked that the words "street work" be substituted for "city projects" and, with this change in wording there was unanimously favorable roll call vote.

1135
GEN 26. Proposed improvement of 235th Place from Cabrillo Avenue to Haas Avenue. Recommendation from City Engineer with concurrence of City Manager that Council consider appropriating \$6,800 from General Fund for subject improvement.

Councilman Drale moved to go to bid on this improvement and Mayor Isen seconded. However, City Engineer Nollac explained Standard Oil Company has prior rights; they do the work; he feels the estimate is reasonable and an itemized and detailed bill will be submitted by Standard Oil in any event before payment is authorized by Council.

With this explanation Councilman Sciarrotta moved to appropriate the sum of \$6,800 as recommended and Councilman Vico seconded the motion which carried by unanimous roll call vote.

1135
190th 27. Notice of completion of improvement of 190th Street from Hawthorne Avenue to Crenshaw Boulevard, with recommendation from City Engineer, concurred by City Manager, that the work be accepted. Councilman Sciarrotta moved to accept the work as recommended and his motion was seconded by Councilman Drale and carried by unanimous roll call vote.

As an afterthought, Director of Finance Scharfman said the City had received a written request that the lien period be allowed to start as of January 13th rather than at this time. City Attorney Remelmeyer said he believed that request should be denied and the money held thirty days after acceptance of the contractor's work. This, it was agreed, is not a matter which needs Council action, as it is ancillary to the agenda item.

1126 28. Los Angeles County Sanitation District's Proposal for Emergency Sewer by-pass to Dominguez Channel. Recommendation of City Engineer, with concurrence of City Manager, that City Council approve proposal.

Councilman Drale objected in that although sewage would be kept off the streets, it would be passing down the Dominguez open channel. City Engineer Nollac said it is merely an emergency measure for times of heavy rainfall and will have to be considered by the Water Pollution Control Board.

Councilman Miller moved to concur in approval of the proposal and Councilman Vico seconded that motion. Mayor Isen said the important thing is that the taxes not be increased in this sanitation district. Councilman Drale repeated this is not right to approve sewage running in an open channel under any circumstances although Mayor Isen thought it is a matter of choice between two evils and it is not likely that this particular eventuality will occur. Councilman Drale asked that further investigation be made.

As a substitute, Councilman Benstead moved to table this item for one week and Councilman Sciarrotta seconded the motion which carried, there being no objection. On request from City Engineer Nollac, it was changed to read "until Mr. Nollac puts it back on the agenda" rather than one week. There was no objection.

29. Transmittal of two easement deeds to Council. Communication from City Engineer, approved by City Attorney and City Manager, submitting two easements to the City Council for acceptance. 1177

Councilman Beasley moved to accept the following two easement deeds:

1. Street easement deed dated January 17, 1964, for the widening of Cypress Street over a portion of Lot 5, Tract No. 639, given by Reginald M. and Mildred M. Wurtz.
2. Street easement deed dated January 20, 1964, for the widening of 239th Street over a portion of Lot 2, Tract No. 397, given by Karl D. and Sally J. Fechner.

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

COMMUNICATIONS FROM CITY ATTORNEY:

30. Proposed resolution re position of City Manager. This item was also considered in connection with the early part of the minutes. 1290

31. Charter Amendment - City Clerk (resubmitted). 1089

Councilman Beasley moved to set the salary at \$750 per month and place the amendment on the ballot for the April 14th election. His motion was seconded by Councilman Sciarrotta and carried by unanimous roll call vote. CHARTER AMEND

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

RESOLUTION NO. 64-11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE PLACING ON THE BALLOT AT THE GENERAL ELECTION TO BE HELD ON THE 14TH DAY OF APRIL, 1964, AN AMENDMENT TO SECTION 1, ARTICLE XIII OF THE CHARTER OF THE CITY OF TORRANCE TO SET FORTH THE RIGHTS AND DUTIES OF THE CITY CLERK, HIS APPOINTMENT OF DEPUTIES, AND HIS SALARY AND WORKING CONDITIONS.

Councilman Sciarrotta moved to adopt Resolution No. 64-11. His motion was seconded by Councilman Beasley and carried by unanimous roll call vote.

1010
C-53

32. Rolling Hills Plaza Lease.

Councilman Sciarrotta moved to take the recommendation of the Council Committee of the Airport and his motion was seconded by Councilman Miller who stated he would like to compliment Messrs. Ferraro, Scharfman and Remelmeyer on the result of their many hours of work on this. Roll call vote follows:

AYES: COUNCILMEN: Beasley, Benstead, Miller, Sciarrotta, Vico, and Mayor Isen.

ABSTAIN: COUNCILMEN: Drale.

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

RESOLUTION NO. 64-12

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK TO EXECUTE LEASES NO. 5, NO. 6 AND NO. 7 AND THIRD AMENDMENT TO LEASE NO. 3-A, BETWEEN THE CITY OF TORRANCE AND ROLLING HILLS PLAZA COMPANY.

Councilman Sciarrotta moved to adopt Resolution No. 64-12. His motion was seconded by Councilman Beasley and carried as follows:

AYES: COUNCILMEN: Beasley, Benstead, Miller, Sciarrotta, Vico, and Mayor Isen.

NOES: COUNCILMEN: None

ABSTAIN: COUNCILMEN: Drale.

City Attorney Remelmeyer said the normal procedure is to charge for the secretarial expense and paper and that they be paid before the document is signed. Messrs. Levitt and Bower acknowledged that to be acceptable. Mayor Isen congratulated them on the very fine project they have and are developing.

1072
x 1321

33. Condemnation for sump - Drainage District 8-A.

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

RESOLUTION NO. 64-13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE FINDING AND DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE THE ACQUISITION BY THE CITY OF TORRANCE OF THE FEE SIMPLE TITLE IN AND TO CERTAIN REAL PROPERTY IN SAID CITY FOR USE FOR THE CONSTRUCTION AND COMPLETION OF CERTAIN STORM DRAINS, DRAINAGE RETENTION BASIN AND APPURTENANT WORK WITHIN DRAINAGE ASSESSMENT DISTRICT NO. 8-A, UPON THAT CERTAIN PARCEL OF REAL PROPERTY IN THE CITY OF TORRANCE; AND DIRECTING THE CITY ATTORNEY TO BRING AND PROSECUTE AN ACTION IN THE SUPERIOR COURT FOR THE CONDEMNATION THEREOF.

Councilman Drale moved to adopt Resolution No. 64-13 and his motion, seconded by Councilman Benstead, carried by unanimous roll call vote. The suit will be filed immediately.

1034 34. Permissible uses in M-1 Zone, with proposed ordinance thereon.

Based on the communication from City Attorney Remelmeyer,

Mayor Isen asked that the proposed ordinance be considered and at the request of Mayor Isen, City Clerk Coil assigned a number and read title to:

ORDINANCE NO. 1461

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE DELETING SUB-SECTION 160, SECTION 11, APPENDIX I OF "THE CODE OF THE CITY OF TORRANCE, 1954".

This section deals with raising and training of race horses and on motion of Councilman Sciarrotta to approve at first reading, seconded by Councilman Benstead, the ordinance was approved at its first reading by the following roll call vote:

AYES: COUNCILMEN: Beasley, Benstead, Miller, Sciarrotta, Vico, and Mayor Isen.
NOES: COUNCILMEN: Drale.

35. Communication from City Attorney re the Yellow Cab Company request to install a private telephone at the bus depot. 1158

Councilman Beasley moved that the Yellow Cab Company be given permission, revocable entirely at the option of the grantor, to use a portion of the southwest corner of the Torrance Municipal Bus Depot, to install a private line telephone. Licensee shall be exclusively liable for all damages to anyone injured directly or consequentially from the placement or maintenance of said telephone. The motion was seconded by Councilman Vico and carried, there being no objection.

COMMUNICATIONS FROM PARK DEPARTMENT:

36. Bid on pipe for sprinkling system at Walteria Park. Park Superintendent's recommendation, with concurrence of City Manager that bid of Smith-Bennett Company in the amount of \$1,199.54 be accepted. 1041 LANDSCAP & SPR. SYST.

Councilman Sciarrotta moved to concur in that recommendation and reject all other bids. His motion was seconded by Councilman Benstead and carried by unanimous roll call vote.

COMMUNICATION FROM TORRANCE TRAFFIC COMMISSION:

- 37. Traffic recommendations for approval:
 - A. NO PARKING ANYTIME Sepulveda Blvd. south side, beginning at Hickory Avenue, extending 250 feet westerly;
 - B. NO PARKING ANYTIME, Crenshaw Boulevard, both sides, from Pacific Coast Highway to 200 feet north of the center line of the airport service road;
 - C. NO PARKING ANYTIME Palos Verdes Boulevard, west side, from Catalina Avenue to Calle Miramar.
 - D. That a crossing guard be established at the intersection of 171st Street and Van Ness Avenue. SCHOOL CROSS GUARD
- 1050
Parking: NO PARKING

Councilman Beasley moved to concur in the recommendations as to all four items above listed and his motion, seconded by Councilman Sciarrotta, carried by unanimous roll call vote.

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

RESOLUTION NO. 64-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING ARTICLE III OF RESOLUTION NO. 63-33 WHICH PROHIBITS PARKING AT ANY TIME BY ADDING CERTAIN LOCATIONS THERETO.

Councilman Benstead moved to adopt Resolution No. 64-14 and his motion, seconded by Councilman Vico, carried by unanimous roll call vote.

Councilman Drale inquired if there would be any possibility of using the Chinese lantern signals which are being removed at Sepulveda and Crenshaw, for the benefit of the people at Maple and Sepulveda which is becoming a very heavily traveled inter-section.

City Engineer Nollac stated one of the conditions of the original tract map was that they participate in the installation of a regular signal at this location. Councilman Drale felt the relief could probably be granted the people by using the signal mentioned, rather than waiting on priorities.

Councilman Beasley moved to refer the matter to the Traffic Engineer for a study and report. His motion was seconded by Councilman Sciarrotta and there was no objection. Mayor Isen suggested the possibility of better than 25% participation by the subdivider, maybe half.

AIRPORT MATTERS:

1010
C-27

38. Kay Ishibashi Request for renewal of lease. Airport Commission President submitting Airport Commission's recommendation that this be filed as a matter of information.

This is merely informational in that it is a matter of assuming an option on part of the NIKE area, and this is the first of two extensions. Mayor Isen moved to approve and his motion, seconded by Councilman Miller, carried by unanimous roll call vote.

1010
GEN

39. Airport Commission recommendation that leasing and negotiations with applicants be returned to Airport Commission.

Acting City Manager Ferraro stated this newly created negotiating team has been in operation about two and one-half months. He recommended because of the newness of the group, the Council allow more time and that this item be filed. A time limit, he said is not feasible.

Councilman Miller moved to file the communication and his motion, seconded by Councilman Beasley, carried, there being no objection.

1010
WILSON

40. STUB WILSON GOLF COURSE PROPOSAL. Airport Commission President submitting Airport Commission's recommendation that Mr. Wilson be given a lease.

Councilman Miller moved to refer this matter to the Airport Committee of the Council and his motion, seconded by Councilman Drale, carried, there being no objection.

Mr. Wilson was in the audience and he was assured he will receive notice of the meeting at which this will be discussed.

Mayor Isen stated with respect to the remaining properties there that he would like to see sales tax yield as great as possible. Space is at a premium. Lincoln-Mercury is interested as is another automobile agency and a trailer sales agency. There is no provision against competition in the trailer sales agency lease now on the land. He asked that the Council committee take into consideration the availability of land and the number of demands, rather than reaching a hasty conclusion. He also asked what had happened to the Texaco Oil lease and City Attorney Remelmeyer said there will be a memorandum on this next week. ¹⁰¹⁰ ^{TEXACO} Texaco has asked for some new conditions.

41. Ben Glass request for two additional signs on El Rancho Motel ¹⁰⁶³ leasehold., per his letter dated January 16, 1964 and January 28, 1964.

- a. Airport Commission president submitting recommendation that WELCOME FLYERS be approved.
- b. Airport Commission president submitting recommendation that Motel sign be approved.

Councilman Beasley moved to concur in the recommendation of the Airport Commission. His motion was seconded by Councilman Drale and carried by unanimous roll call vote.

COMMUNICATION FROM CIVIL SERVICE COMMISSION:

42. Civil Service Commission action on Fire Department vacation ¹⁰⁰⁴ and sick leave provisions, with attached report from Finance ^{VACATION} Director, concurred in by City Manager, the City Manager's plan, ¹⁰⁰⁴ and the Fire Fighters' plan. ^{LEAVES}

Councilman Drale asked for another week to consider this and Mayor Isen said there should be a recommendation from the Council Committee. The next council meeting is February 11th, an eight o'clock meeting and the committee will meet in the interim and formulate a recommendation.

COMMUNICATIONS FROM CITY MANAGER:

43. Communication re Case No. 705, R. A. Watt, Guenser Park ¹⁰³¹ 50 foot dedication, a resubmittal. ^{# 705}

City Clerk Coil read a letter from Mr. Watt stating he could not be in attendance at this meeting although he had hoped to be. Mayor Isen said the dedication should be for the full fifty feet all the way across and he so moved. Councilman Sciarrotta seconded the motion and roll call vote was:

AYES: COUNCILMEN: Benstead, Drale, Miller, Sciarrotta, Vico, and Mayor Isen.

NOES: COUNCILMEN: Beasley.

Councilman Beasley stated he was not well enough informed and voted "No" for that reason. Mayor Isen repeated specifically that this is a full 50 feet across the whole property.

44. Expenditure recommendation for six steel electroliers on ¹²²⁹ Artesia Boulevard between Hawthorne and Yukon Avenues in the amount of \$738 to Southern California Edison Company.

Councilman Sciarrotta moved the expenditure be authorized and his motion, seconded by Mayor Isen, carried as follows:

AYES: COUNCILMEN: Beasley, Benstead, Drale, Miller,
Sciarrotta, Vico, and Mayor Isen
NOES: COUNCILMEN: None.

PROCLAMATIONS:

1057 45. Mayor Isen proclaimed the week of February 9, 1964 as
NATIONAL BEAUTY SALON WEEK.

FOR INFORMATION AND/OR ACTION:

1050
GEN 46. Traffic and Lighting Department report on problem at the
intersection of 187th Street, 187th Place and Cerise Avenue.

Mayor Isen remarked that Traffic Engineer Whitmer should write
a letter to these people and Councilman Drale so moved. There was
no objection.

1168 47. Report on Inspection Needs.

1004
Pos. CLASS This matter will be held one week for study.

ORAL COMMUNICATIONS:

1062 48. Acting City Manager Ferraro stated he had received a request
from a Boy Scout Troop secretary, Richard Lampson to have a
campout back of the YWCA building close of Plaza Del Amo and
Carson. He recommended permission be granted as long as they
comply with all the rules and regulations.

Councilman Beasley moved to concur and his motion, seconded
by Councilman Vico, carried by unanimous roll call vote.

1048 49. Acting City Manager Ferraro asked for an expression of
interest from the Council regarding the Metropolitan Water District
trip as to either April 23 - 25, or May 8 - 10.

1290 50. Acting City Manager Ferraro thanked the Council for the
confidence indicated by their appointment of himself in this
capacity temporarily and requested the department heads and
City employees to assist him in a job which he hopes will speak
for itself.

1101 51. Assistant City Manager Johnson said there is a plan under
consideration to raise funds for the Pasadena New Years Day float
by painting house numbers on the curbs. In the meantime, other
organizations are applying to the License Department for this
license and he would like to have the Council authorize a stay
to permit the License Department to hold up these applications
until a decision is reached as to the plan he mentioned. What
is being considered is a first class standard method of numbering.
Councilman Beasley moved to authorize such a stay in licensing
pending the report from the plan. His motion was seconded by
Councilman Drale and there was no objection.

1004
VACATION 52. Assistant Police Chief Porter asked for a final definition on
the Day of Mourning pay for the pertinent days during the week
following President Kennedy's assassination. There is a difference
of opinion as to the net effect and Finance Director Scharfman
outlined his understanding as to 31 street employees who were
authorized four hours pay in addition to the one day added to
their vacations. At the time this first came up, Council ordered
that the Police Department personnel be treated in a similar
fashion. However, the action is not applicable. This is a matter

of different working days and different work schedules. Mr. Scharfman interpreted the intent of the Council to be that the men who worked on the Day of Mourning would be given the additional day vacation and four hours pay in cash.

Charles Oates of the Police Department talked on the subject and stated the question is that this is not a designated holiday, but a Government Code holiday, and should be handled the same as the other eleven days which are designated.

Lt. Fischer of the Police Department spoke from the standpoint of the man who did not work on that Monday.

Finance Director Scharfman summarized the intent as being that every employee of the City of Torrance would be treated equally in that each would receive three days off, including their normal days off, and if necessary the third day would be added to the individual's vacation. Further, each employee who worked either on Monday, the Day of Mourning, or the Saturday following because they were off on Monday, would receive an additional day's vacation, plus four hours in cash.

The Council agreed with Mr. Scharfman's interpretation and there was no dissenting vote.

53. Councilman Benstead asked about a complaint which he had received from residents in the neighborhood of 187th and Cerise Avenue and handed the City Clerk a letter which he asked be filed as a part of the City records, Assistant Chief Porter said this is a different matter and refers to a complaint from people on Chanera Street that they do not get action when they call the Police Department. He said police cars have been patrolling the area and now the people complain that there are too many police cars. All these complaints have been investigated and made a part of the Police record. There seems to be no way to please everyone, all the time. 1152

54. Councilman Drale asked again for a report on the Weed Abatement Program and also on Trash and Rubbish. 1114

55. Added to the agenda was a letter from City Attorney Remelmeyer with a proposed attached ordinance with respect to Police and Fire Chiefs' Examinations. Councilman Miller said it now appears there are five votes for open examination for Police and Fire Chiefs, if two additional points are credited to qualified personnel within the departments on their final examination score if it is a passing grade. Councilman Sciarrotta said he is now changing his vote in favor of the ordinance with the above provision. He outlined several reasons for his decision, stating that it is the responsibility of the Council to make this decision although he has complete confidence in our citizenry. 1004
C.S. ORD
POLICE +
FIRE

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

ORDINANCE NO. 1462

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE REPEALING SECTIONS 11.3, 22.3 and 22.6 OF "THE CODE OF THE CITY OF TORRANCE, 1954" WHICH REGULATE THE APPOINTMENT, REMOVAL AND REDUCTION IN RANK OF THE CHIEF OF THE FIRE DEPARTMENT AND THE CHIEF OF POLICE DEPARTMENT AND ESTABLISHING NEW PROVISIONS THEREFOR RELATING TO THE SAME SUBJECT MATTER.

Councilman Miller asked for a reading of subparagraph C of Section 2:

"C. Both a written and an oral examination shall be given to applicants for said position. To qualify for appointment to said position, an applicant must have obtained a grade of at least 70 out of a possible score of 100 on the written examination. No veteran's preference or efficiency, seniority or other credit or preference shall be given on said examination to increase the score of any applicant; provided, however, that 2 points will be added to the final score of any applicant who is an employee of the City of Torrance and who has attained a grade of at least 70 out of a possible score of 100 on the written examination."

Councilman Benstead moved to dispense with further reading of Ordinance No. 1462 and his motion, seconded by Councilman Miller, carried by unanimous roll call vote.

Councilman Miller moved to approve Ordinance No. 1462 at its first reading. His motion was seconded by Councilman Benstead.

Councilman Beasley said he still believes there are excellently qualified men within the two departments and will vote "No".

Councilman Drale again stated his view that every position in the City should be promotional except that of City Manager.

Mr. Ollie R. Harrison of 5115 Scott Street asked if this will appear on the ballot as two separate items and was told it will not appear on the ballot at all if this action passes.

X 1089
CHARTER
AMEND

Roll call vote follows:

AYES: COUNCILMEN: Benstead, Miller, Sciarrotta, Vico,
and Mayor Isen.
NOES: COUNCILMEN: Beasley and Drale.

Mayor Isen said he appreciates the sincerity of Councilman Sciarrotta's statements and moved that the Charter Amendment previously considered and passed by a majority of the Council be rescinded forthwith. Councilman Miller seconded and roll call vote was unanimously favorable.

1290

56. Mayor Isen said regarding the action taken tonight with respect to the City Manager, that while reasonable men will differ in their opinions of what is best for the City, he will miss Mr. Peebles and his work here. He called attention to the fact that Torrance is now the fourth in population of the County and the program of this city with growing pains will continue to be the greatest in the State of California regardless of the hectic events of the past few weeks.

1290

57. Mr. Ollie R. Harrison spoke again, deploring the action of the Council in making a decision in a "secret meeting". He contends anything pertaining to the City should be open to its people. Mayor Isen said the method followed was proper and there was no violation.

1290
X 1144
INVESTIG-
ATION

58. Mr. Robert Jahn of 20812 Avis Avenue, stated since he was directly concerned in the report, he would like at this time to make an official and public request that that report be made public, tonight, if possible. He said he recognized that his request would be denied, but wanted it a part of the record.

There being no further business to come before the Council
the meeting was adjourned at 8:45 p.m.

Vernon W. Coil
Vernon W. Coil, Clerk of the City of
Torrance, California

APPROVED:

Albert I. Ivers
Mayor of the City of Torrance