

Torrance, California  
March 18, 1941

MINUTES OF AN ADJOURNED REGULAR  
MEETING OF THE CITY COUNCIL  
OF THE CITY OF TORRANCE

The City Council of the City of Torrance convened in an Ad-  
journed Regular Meeting in the Council Chamber, City Hall, Torrance,  
California, on Tuesday, March 18, 1941 at 4:45 P.M.

Mayor McGuire called the meeting to order.

Clerk Bartlett called the roll, those answering present being  
Councilmen: Babcock, Murray, Powell and McGuire. Absent: Council-  
men: Hitchcock.

Councilman Babcock moved that the meeting adjourn to 4:55 P.M.  
to await arrival of Councilman Hitchcock. Councilman Murray second-  
ed the motion, which was carried unanimously.

Councilman Hitchcock arrived at 4:52 P.M. The meeting recon-  
vened at 4:55 P.M.

Being an adjourned meeting, the regular order of business was  
dispensed with.

WRITTEN COMMUNICATIONS

A communication was read from Mrs. Norman Hirst, 4407½ Finley  
Avenue, Hollywood, asking whether or not a permit should be obtained  
from the City Council to sell or rent her property at 17240 Redondo  
Avenue to persons interested in establishing a mink farm thereon.

Councilman Powell moved that the request be referred to the  
Planning Commission for report. Councilman Murray seconded the  
motion, which was carried unanimously.

A communication was read from Club Benefico Cultural Inc. re-  
questing use of the Civic Auditorium for a monthly dance.

After a short discussion at which time members of the Council  
agreed that the auditorium should be available for residents of the  
City of Torrance, Councilman Babcock moved that the request be re-  
jected. Councilman Hitchcock seconded the motion, which was carried  
unanimously.

Councilman Hitchcock moved that the City Clerk be authorized to  
notify the Tax Deeded Lands Committee of Los Angeles County that the  
City of Torrance has elected to use the County formula in which twice  
the assessed value is used as a factor in determining the sale price  
of tax deeded lands for which the City of Torrance has made applica-  
tion. Councilman Babcock seconded the motion, which was carried  
unanimously.

A notice of tax sale was read from H. L. Byram, Los Angeles  
County Tax Collector, setting April 11, 1941 at 9:00 A.M. as the time  
for selling certain real property at public auction to the highest  
bidder for cash. A notice describing the property to be sold was  
attached.

Clerk Bartlett presented and read title to:

RESOLUTION NO. 1429

RESOLUTION OF THE CITY COUNCIL OF THE CITY  
OF TORRANCE ACCEPTING DEED FROM COUNTY OF  
LOS ANGELES COVERING CERTAIN TAX-DEEDED PRO-  
PERTIES IN SAID CITY OF TORRANCE AND AUTHOR-  
IZING RECORDING OF SAME.

Councilman Hitchcock moved that Resolution No. 1429 be adopted. Councilman Powell seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Babcock, Hitchcock, Murray, Powell and McGuire.

Clerk Bartlett presented and read title to:

RESOLUTION NO. 1430

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE ACCEPTING DEED TO LOTS 18 AND 19, BLOCK 15, TORRANCE TRACT AND AUTHORIZING RECORDING OF SAME.

Councilman Babcock moved that Resolution No. 1430 be adopted. Councilman Murray seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Babcock, Hitchcock, Murray, Powell and McGuire. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

Clerk Bartlett presented and read title to:

RESOLUTION NO. 1431

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE REQUESTING THE BOARD OF SUPERVISORS TO WAIVE TAXES ON LOTS 18 AND 19, BLOCK 15, TORRANCE TRACT.

Councilman Babcock moved that Resolution No. 1431 be adopted. Councilman Hitchcock seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Babcock, Hitchcock, Murray, Powell and McGuire. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

Clerk Bartlett presented and read title to:

RESOLUTION NO. 1432

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE RELEASING THE METROPOLITAN WATER DISTRICT FROM ALL FURTHER OBLIGATIONS WITH REFERENCE TO AGREEMENT NO. 117.

Councilman Hitchcock moved that Resolution No. 1432 be adopted. Councilman Powell seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Babcock, Hitchcock, Murray, Powell and McGuire. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

Councilman Powell moved that the Clerk be authorized to notify Southern California Edison Company to turn on 25 street lights in Hollywood Riviera District, cost to be \$2.80 per light per month. Councilman Murray seconded the motion, which was carried by the following roll call vote; AYES: COUNCILMEN: Babcock, Hitchcock, Murray, Powell and McGuire. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

Engineer Jain reported he had investigated the complaint received from the Parent-Teacher Association regarding flooded condition of Martina Avenue and 220th Street and had found same to be as stated. However, he said, the condition could be remedied only through completely remodeling the intersection, which procedure would entail large expense.

Councilman Powell said he felt the matter should be given every consideration when the 1941-42 budget is established.

Engineer Jain was instructed to give an estimate of the cost before the 1941-42 budget is set.

In regard to the communication received from Milky Williams Lodge, Local No. 1414, and read at the regular meeting of March 11, 1941, referring to purchase by the City of Torrance of two busses from Ford Motor Company, Attorney McCall ruled as follows:

"The question submitted to me at the last meeting was whether or not the City, after purchasing those two busses, could legally cancel the contract without any liability. I have checked into that and it is my opinion that the City would be liable, in the event of cancellation of contract, for damages and that the contract contains all the elements of a purchase and, therefore, the City, in my opinion, is stuck with it. I checked over some briefs I had on contracts, and cancellation of this contract might bring down a suit, and very likely would, not only on the City, but on the individual members of the Council, so it is my opinion that it would not be legal -- the contract could not be legally cancelled without the City assuming liability."

Councilman Babcock remarked that, apparently the resolution presented by Milky Williams Lodge, Local No. 1414, came too late to do any good on this particular matter.

Councilman Babcock moved that the resolution submitted by Milky Williams Lodge, Local No. 1414, protesting purchase by the City of Torrance of two busses from Ford Motor Company be filed for future reference and that members of the Congress of Industrial Organization be requested to attend council meetings to prevent a recurrence of incidents of this nature.

Councilman Powell made a few remarks at this time as follows:

"I would like to state in behalf of myself before any action is taken here. I hope to make it clear and I believe the men representing the CIO will understand the position that we are in. It doesn't seem to me like we can possibly, without incurring considerable expense to the City, take any different action now to offset what we have already done. We have entered into this contract on a fair basis with the understanding that delivery would be made at a certain time within sixty days. They have gone to the trouble to meet that request of the City, but I assure the members of the CIO, so far as I am individually concerned, that so long as these conditions prevail, that exist now, between labor and the industry of Ford Motor Company, so far as I am concerned, there will be no more Ford cars or trucks bought from Ford until they recognize the rights of labor to meet and organize and have their organization represent them in industrial organizations."

Councilman Murray seconded Councilman Babcock's motion to file the resolution received from Milky Williams Lodge, Local No. 1414 for future reference, which was carried by the following roll call vote: AYES: COUNCILMEN: Babcock, Hitchcock, Murray, Powell and McGuire. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

#### ORAL COMMUNICATIONS

Mr. Walter W. Smith, 1006 Sartori Avenue, remarked that he doubted very much that the firm of Schultz & Peckham, Ford Dealers, would enter a suit against the City and/or its officials in the event the contract for purchase of two Ford Busses is canceled.

He said, so far as he could ascertain, the Ford Motor Company had not instituted a suit against the United States Government for cancellation of contracts.

Mr. Carl D. Steele, President of the C.I.O. presented a report of the Newark, New Jersey case wherein the Courts upheld the city of Newark in cancelling certain contracts for purchase of Ford trucks and automobiles. Mr. Steele said the report cited a number of cases which indicated the Ford Motor Company's refusal to observe certain national laws.

Mr. Steele's remarks were as follows:

"This report brings up several cases where Ford Motor Company absolutely refused to live up to any government laws, especially those concerning labor. I call him the "Hitler of Detroit" because he is nothing else. He uses the same tactics in Detroit as are used in Germany. He wears the double eagle, which is only given to persons in accord with the ideas of the European paperhanger. It is a known fact that we have union men on our Council -- it is a known fact that we have the picket line for three years in Long Beach plant where most of these things are assembled. We know that when Ford wants men for Ford service he doesn't go among the respectable citizens of the United States. He goes into the penitentiary for these men. He has his own spy system and police force. You fellows know all these facts. You have known them for years. I have nothing against Peckham and Schultz. Schultz is a neighbor of mine and I like him, but I have to help pay for these Ford trucks if they buy them. I don't think they will pay for themselves. If it had been suspected that it would be a paying proposition, Pickwick or some transportation company would have grabbed the thing off. We are not so much against Ford because of his anti-labor action. We don't think the Ford Motor Company is patriotic because he won't live up to the Government laws. I can't see why we should buy a product made under these conditions. I know I would give almost anything to the Government if they asked for it if it comes to a crisis. I would work for the government for nothing except my board and clothes and sustenance for my family. They could take my car -- if they did take my car, I don't think I would ride in a Ford."

Mayor McGuire read the lengthy report which Mr. Steele handed Clerk Bartlett and which he in turn gave to Mayor McGuire. The report reviewed the case of Newark, New Jersey in which the City of Newark broke a contract it had entered into with Ford Motor Company and in which the courts upheld the City of Newark in its action. The report was headed "Report of the Board of Commissioners of the City of Newark on the proposed purchase of Fords" and signed "Greater Newark Industrial Council."

Councilman Powell:

"I have always tried to make it a practice, when I made an agreement with a man, to live up to that agreement, even though he happened to be an outlaw, and I consider any man that hasn't got respect enough for the national laws, even though we may not agree with those laws, that will set himself up as more powerful than the Federal Government of the United States -- I don't consider him a good American and, personally myself, I am in favor of rescinding the action and I make a motion to that effect. A lot of this information I didn't now about. I don't want to be on record as hampering the rights of the working people in their rights of collective bargaining."

Councilman Murray:

"We should all voice our opinion on this, We entered into this in a business like way. It was common knowledge that we were

going to buy busses. We asked for bids and when they came in we rejected all bids as we always do and adjourned to decide on what busses we would buy at an adjourned meeting. There was plenty of time in the interim when we could have heard protests and would have been glad to confer with any of the taxpayers and take the benefit of their advice. I am a laboring man, too, and I am for the laboring man. We entered into this contract with our senses clear. We may not have known all the circumstances covered by this letter. We did know that Ford was setting himself up in a class of his own. He seemed to have gotten away with it under the N.R.A. In view of these facts, I don't believe that I can go back on this contract I have entered into as a member of this Council. As far as the Ford cars go, they are a pain in the neck to me, so far as I am concerned, but we entered into a contract and papers are signed by people who are dependable - it should be that our word can be taken. We are supposed to represent the largest number of tax payers possible. I believe we are trying to and so if we should cancel this order we not only bring legal action against ourselves but against the City as well and so, as a Councilman I have to stand by my action when we entered into this contract. I think it is only right I should make that statement. I feel that I am a laboring man and would have been glad to receive and welcome advice. That is why I made a motion at the last meeting that every organization in the City have representation here at the meetings."

Mr. Powell's motion to rescind Mr. Babcock's motion was declared lost for want of a second.

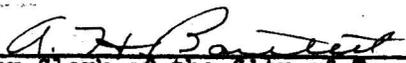
Councilman Murray asked what the action would have been had the Attorney given a ruling that the contract could legally be cancelled. No answer was forthcoming.

Councilman Powell:

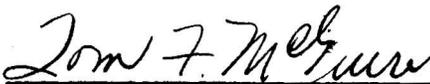
"In regards to Mr. McCall - I don't want him to think I don't think he is an attorney. I know he has legal knowledge and facts and understands legal procedure far more than any of us do -- I think he is sincere and honest, but we find honest men, sincere men, sitting on the United States Supreme Court that don't agree on proper interpretation of law, so he may be wrong and he may be right. As I said before, I hate to counterchange my agreement when I enter into one, but when you sum up this status of the matter here, I believe I am justified in the action I have taken regardless of what Mr. Ford might deem necessary to deal with us in breaking our agreement. I am not holding anything against any individual of the Council. Each is entitled to his opinion, which ever way he feels about it."

Mayor McGuire moved that an appropriation of not to exceed \$228.61 be made for a Wheeldex system complete, including one Wheeldex unit wheel, 200 guides, 1 posting cabinet, for the Water Department. Councilman Hitchcock seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN; Babcock, Hitchcock, Murray, Powell and McGuire. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

At 6:40 P.M., upon motion of Councilman Hitchcock, seconded by Councilman Babcock, the meeting adjourned.

  
City Clerk of the City of Torrance

APPROVED:

  
Mayor of the City of Torrance