

Torrance, California
April 1, 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, April 1, 1941 at 4:45 P.M.

Mayor McGuire called the meeting to order.

Clerk Bartlett called the roll, those answering present being Councilmen: Babcock, Hitchcock, Murray, Powell and McGuire. Absent: Councilmen: None.

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

WRITTEN COMMUNICATIONS

Clerk Bartlett presented an application from Shell Oil Company, Incorporated, for franchise for pipe line, this matter having been first presented at the meeting of March 25, 1941. Maps were presented for study, giving the proposed routes for laying of pipe line. Three routes were designated. Mr. Warren of the Shell Oil Company said the third route could be deleted, but his company would like the alternative of using the other route.

Attorney McCall gave an outline of the procedure necessary for granting the franchise requested. He said that the State of California has no statute referring to oil pipe lines going through cities, the statute most nearly applicable being the one pertaining to laying of gas pipe line. After reaching this conclusion, he said, he talked with Louis Burke, City Attorney of Montebello, who advised that on three occasions the City of Montebello had granted permits to excavate and build pipe line through the City on condition that upon thirty days notice from the City, the pipe line be either removed or the Company apply for a franchise. The purpose of this procedure, he said, is to give the City the privilege of requesting the pipe line company to file for a franchise in the event of subsequent legislation pertaining to laying of oil pipe lines through cities. There is nothing, he said, to compel the company to remove their pipe line unless they refuse to file for a franchise. In the event the application for franchise is filed and refused, the pipe line company still could not be compelled to remove their pipe line if they are granted permit to excavate and build pipe line through the City in accordance with the procedure outlined above.

Mr. Warren said that in all franchises granted Shell Oil Company, an application for franchise had been filed with the City, published ten consecutive days or four consecutive weeks (where city has weekly paper), then granted in not less than ten days or more than twenty days after last publication. However, he said, any method acceptable to the City Council and the Shell Oil Company attorneys will be satisfactory.

Attorney McCall stated that he did not believe the City Council has the authority to grant a franchise for forty years, the term applied for in Shell Oil Company's application.

Councilman Powell asked if the Courts had ever set aside any action of City Councils in granting franchises of this nature, Attorney McCall's answer being that he did not think so.

Councilman Powell moved that the franchise applied for by Shell Oil Company, Incorporated, for the privilege of laying, constructing, maintaining and operating pipe line for transportation of petroleum, oil and liquid hydrocarbon products thereof and gas in the public highways of the City of Torrance be granted.

Mr. Warren said that, before an excavating permit can be issued, the pipe line company must show their right to be on the street, the only right, he contended, being the franchise. Therefore, he said, his company would have no right to ask for an excavating permit until the franchise is obtained.

Attorney McCall agreed that the franchise would be the reason for being on the street, but that any other authority would be as good.

Councilman Murray seconded Councilman Powell's motion to grant the franchise to Shell Oil Company, Incorporated as applied for.

A lengthy and detailed discourse followed, at which time various questions were asked and answered pertaining to receipts due the City resulting from use of the pipe lines, future legislation pertaining to oil pipe lines, method of granting franchises, and a number of other questions relative to the matter.

Mr. Warren said the Shell Oil Company, Incorporated, has an application for franchise on file with the City of Santa Monica, whose attorney, he stated, took the same attitude toward the matter as Attorney McCall has taken. He said the City Attorney of Santa Monica had ventured the opinion that, although he is not sure whether or not the Council has the authority to grant a franchise, no one could suffer any damage except the pipe line company. Mr. Warren said the City Council of Santa Monica will probably grant the franchise very shortly.

Attorney McCall read a portion of the statute pertaining to gas pipe line, which specified that any legislative body who violates or attempts to violate the provisions of the act is guilty of a misdemeanor. He said he did not know whether or not granting a franchise under this statute could be construed, if the action was said to be invalid, as a violation of the act, but that he did know that the act does not contemplate the laying of oil line; it only contemplates laying of gas pipe line, he said.

Councilman Powell withdrew his motion to grant the franchise to Shell Oil Company as applied for. Councilman Murray withdrew his second.

Mr. D. S. Coye, Attorney for Shell Oil Company, read the statute referred to by Attorney McCall and said he felt Attorney McCall might be putting a somewhat strict interpretation on it that may not be justified by the statute itself. A number of other points were debated, and particularly the question of how future legislation regarding franchises for oil pipe line would affect the interested parties if the authority to lay the pipe line is granted in accordance with the procedure outlined by Attorney McCall, and followed by the City of Montebello.

Regarding advertising of the application for franchise, Attorney McCall advised that, if the authority is granted in accordance with his suggestion, advertising will be done away with altogether. He said the excavating permit could be granted and work started immediately.

Mr. Warren said that when application for a franchise was made in Ventura, Shell Oil Company, Incorporated, had been required to agree that there would be a minimum rental of \$25.00 per mile per year. Knowing that the line would bring in revenue of more than that to the City, he said, Shell Oil Company had readily agreed to this arrangement. He added that his company would be agreeable to make the same arrangement with the City of Torrance. Further, he related, the Company expects to pay a substantial installation fee, which will, in effect, be enough to pay five years rental in advance.

Councilman Babcock asked that a clause to that effect be inserted in the franchise application.

Mr. Warren said that, as a last resort, Shell Oil Company could lay their pipe line through the Santa Fe right of way property which has recently been granted Shell Oil Company by the Santa Fe. He said they would prefer getting the franchise from the City, however, and would accept any type of procedure which meets with the approval of Shell Oil Company attorneys.

Mr. McCall assured Mr. Warren and Mr. Coye that the Shell Oil Company would be absolutely secure in accepting the authority to lay pipe line on nothing more than a motion of the Council to grant them an excavating permit with certain conditions as mentioned heretofore.

The discussion continued, but no decision was reached and no action taken. Attorney McCall was instructed to contact Michael Tellefson, City Attorney of Culver City, who has made a study of this particular matter, Mr. Nehring, City Attorney of Santa Monica, Louis Burke, City Attorney of Montebello, and Shell Oil Company attorneys for further deliberation and to reach a definite decision as to what procedure should be followed.

A communication from the Torrance Ministerial Union, signed by H. Wesley Roloff, Secretary, was read, advising that the Ministerial Union, meeting in special session March 26, 1941, went on record as disapproving the Friday night dances sponsored by the Torrance Coordinating Council. Complete discontinuance of the dances was advocated as the only means of eliminating alleged irregularities.

Reverend Northrup in the assemblage stated that complaints had been registered by parents and from Rev. Ross, Methodist pastor in San Pedro, who said certain young people in his church had been difficult for their parents as a result of their participation in the Friday night dances.

Councilman Hitchcock said he was under the impression the Council had contemplated closing the dances some time ago, to which Mayor McGuire replied that the people operating the dances had been contacted and asked to conduct the dances in an orderly manner.

Councilman Murray remarked that feeling is very much against the dances, one of the main complaints being that young men beyond high school age from outlying cities participate in the dances, thereby contacting local girls of high school age, creating complex situations.

It was suggested that Mr. Roloff contact the Coordinating Council for discussion of this matter, to which suggestion Councilman Powell objected on the grounds that the letter sent the Coordinating Council was sufficient. Councilman Powell said he had been compelled several times to eject men from the school grounds who entered the grounds for the purpose of contacting girls they had met through the Friday night dances. He added, that considerable property damage had resulted from the dances, especially with regards to the fixtures in the rest rooms.

Councilman Powell began to make a motion, at which time Michael Straszer, 1004 Acacia Avenue, presented a plea in defense of the dances, inquiring where it is proposed to send the young people of the community for their dancing if the Friday night dances are condemned and closed. He said that in the past, they have been allowed to go out of town to public dance halls which have practically no supervision, many unfavorable reports of disorderly conduct at these public dance halls having been heard. Out of fairness to the Coordinating Council, he said, the letter written by Judge Lessing, Chairman of the Coordinating Council in answer to his copy of the letter read by Clerk Bartlett from the Ministerial Union, in which Judge Lessing presented his defense of the dances, should at least be read. The request was not complied with. Clerk Bartlett handed a carbon copy of the letter to Mayor McGuire, which letter was unsigned. Rev. Roloff was asked if he had received the original letter.

Councilman Powell said that where the young people go for their future dancing depends upon action of the Coordinating Council.

Councilman Powell moved that the Civic Auditorium be denied the Coordinating Council for the purpose of holding regular Friday night dances after Friday, April 4, 1941, until such time as the Coordinating Council can assure the City Council that the dances will be conducted in an orderly manner to the complete satisfaction of the City Council. Councilman Murray seconded the motion.

Councilman Hitchcock suggested that the letter from Judge Lessing to the Ministerial Union be read. Councilman Murray went on to remark that his son had withdrawn from participation in the dances because of the manner in which they were operated, as had a large number of other local young people.

Michael Straszer said he felt it would be a mistake to summarily close the dances without giving the Coordinating Council an opportunity of presenting their defense. Councilman Murray said they had been given several opportunities to better the dances.

Mr. Straszer said he was convinced the dances had improved to a great extent since the last time the Coordinating Council had been asked to improve the dances. He added that the property damage had decreased, Councilman Murray advising him that he did not know what he was talking about.

Mr. Straszer said the Torrance Herald is publishing the letter received from the Ministerial Union urging that the dances be closed and also the letter from Judge Lessing, Chairman of the Coordinating Council, to the Ministerial Association in defense of the dances. He said all he asked was fair play. He suggested that the Coordinating Council be given a hearing on the matter, and then, if the Council so desires, close the dances, but at least give the Coordinating Council an opportunity of presenting their views in the matter.

Councilman Hitchcock said he felt Mr. Straszer's suggestion was a reasonable and fair one. (He remarked that Judge Lessing is Chairman of the Coordinating Council, to which Councilman Murray replied "that is another thing I have against the Coordinating Council.")

The debate between Councilman Murray and Michael Straszer continued along the same lines, both gentlemen talking at the same time, making it impossible to get a clear transcript of either conversation.

Councilman Murray remarked that the Torrance Herald has been used as a club over the heads of previous Councils, but it is not going to be used over the heads of this Council because I am not afraid of the Torrance Herald. Mr. Straszer said his point is that the Council had read only one letter and that the Torrance Herald is printing both letters, thereby presenting the Coordinating Council's side of the issue. Councilman Powell remarked that much had already been heard from that source (the Coordinating Council) which does not meet with the approval of the Council.

Councilman Hitchcock suggested that the Ministerial Union meet with the City Council and discuss the matter further.

Reverend Northrup said the ministers are settled on the matter, their wishes being expressed in their letter, and that they felt it is now within the power of the City Council to take whatever action it deems proper.

Councilman Powell's motion, seconded by Councilman Murray, that the Civic Auditorium be denied the Coordinating Council for Friday night dances, effective after the April 4, 1941 dance, until such time as the Coordinating Council can assure the City Council that the dances will be properly conducted, was carried unanimously.

Clerk Bartlett was instructed to notify the Coordinating Council of the above action.

A communication was read from Donald K. Lucas, 24516 Narbonne Avenue, Lomita, applying for license to conduct the business of private police patrol. The application was approved by Chief Stroh.

Councilman Powell moved that the license be granted. Councilman Babcock seconded the motion, which was carried unanimously.

A communication was read from the Builders Brick Company, requesting permit to excavate for clay products on certain property, the legal description being as follows: east half of the east half of the northwest quarter of Lot 72, and the northeast quarter of Lot 67 of the McDonald Tract as per Map recorded in Book 15, Pages 21 and 22 of Miscellaneous Records of Los Angeles County.

Councilman Hitchcock moved that the request be referred to the City Attorney and City Engineer for investigation and report at the Regular meeting of April 8, 1941. Councilman Babcock seconded the motion, which was carried unanimously.

A communication was read from the County of Los Angeles Department of Health, asking for suspension or revocation of the license and/or permit for the hog ranch located at 17518 South Arlington, operated by Edward F. Saul.

Mr. Graham reported that his regular inspection had revealed that the ranch is in a deplorable condition, constituting a nuisance. City of Torrance Ordinances 284 and 293 were referred to Attorney McCall, certain sections of which he read aloud.

Attorney McCall said Mr. Saul could be prosecuted under Ordinances 284 and 293, which would be a criminal action. The only other method, he advised, would be to enter into a civil suit with Mr. Saul for abating a public nuisance, under the State Nuisance Act.

Mr. Graham advised that Mr. Saul had not been advised of this matter as yet and suggested that Mr. Saul be cited in for hearing at which time he will be given an opportunity to present his side of the issue, Mr. Graham's contention being that Mr. Saul should be given a fair trial.

Councilman Babcock moved that Mr. Edward F. Saul be summoned to appear before the City Council to show cause why his license and/or permit for operation of a hog ranch located at 17518 South Arlington Avenue, Torrance, California, should not be suspended or revoked. Councilman Hitchcock seconded the motion, which was carried unanimously.

A communication was read from the Associated Assessment Engineers, advising the City not to bid on Parcel No. 104 (Lot 36, Tract 3458) and Parcel 895 (Lot 37, Block 1, Meadow Park Sub. of Lot 33), which property will come up for sale in the City in the near future. Associated Assessment Engineers maintained that it would not be worthwhile for the City to bid on these two parcels, the minimum bid in each case amounting to the full amount of taxes plus advertising costs.

A communication was read from the Planning Congress, Los Angeles County, requesting the City of Torrance to adopt an ordinance changing and establishing the name of streets along the routing of U.S. Highway 101. It was advised that various other cities are cooperating in this request, and mentioned further that the City of Torrance had been approached on this matter previously and had agreed to the change.

Clerk Bartlett presented and read title to:

ORDINANCE NO. 323

AN ORDINANCE CHANGING AND ESTABLISHING THE NAME OF STREETS ALONG THE ROUTING OF U. S. HIGHWAY 101, ALTERNATE STATE ROUTE 60, VARIOUSLY KNOWN AS STATE HIGHWAY WILMINGTON BOULEVARD, REDONDO-WILMINGTON BOULEVARD, WILMINGTON ROAD, AND 258th STREET, IN THE CITY OF TORRANCE.

Councilman Hitchcock moved that further reading of Ordinance No. 323 be suspended. Councilman Babcock seconded the motion, which was carried unanimously.

Councilman Hitchcock moved that Ordinance No. 323 be adopted for first reading. Councilman Babcock 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 a communication from the Los Angeles County Division, League of California Cities, enclosing a suggested form of resolution, which it was suggested the City adopt, which resolution was in regard to distribution of gasoline tax and motor vehicle license fee revenue to the 45 cities of Los Angeles County by the County Board of Supervisors.

Clerk Bartlett presented:

RESOLUTION NO. 1433

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE URGING THE COUNTY BOARD OF SUPERVISORS TO APPROVE PROPOSAL PRESENTED BY THE LOS ANGELES COUNTY DIVISION, LEAGUE OF CALIFORNIA CITIES FOR THE DISTRIBUTION OF GASOLINE TAX AND MOTOR VEHICLE LICENSE FEE REVENUE.

Councilman Babcock moved that Resolution No. 1433 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. 1434

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE REQUESTING BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO AUTHORIZE AN APPROPRIATION OF \$8055.00 FOR THE ACQUISITION OF PACIFIC ELECTRIC RIGHT OF WAY ON CABRILLO AVENUE FROM TORRANCE BOULEVARD TO PLAZA DEL AMO.

Councilman Hitchcock moved that Resolution No. 1434 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.

A communication was read from Fire Chief McMaster, inviting the Council to witness a demonstration of a first aid fire fighting unit by the State Fire Marshal's office at the Torrance Fire Department March 2, 1941 at 10:00 A.M.

Clerk Bartlett presented quotations from the Automobile Club of Southern California for signs reading "Walteria", purchase of said signs having been authorized recently as a result of a request dated January 28, 1941 from the Walteria Civic Organization for the signs.

Councilman Hitchcock moved that the purchase of two (2) reflectorized signs, with 6" letters directing to Walteria at a cost of \$26.95 each, plus sales tax, be authorized. 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 Babcock presented and read title to:

RESOLUTION NO. 1435

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE ADOPTING POLICE MANUAL RULES AND REGULATIONS FOR GOVERNMENT OF THE DEPARTMENT OF POLICE.

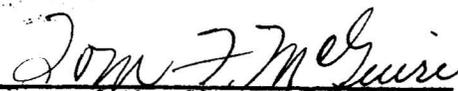
Councilman Babcock moved that Resolution No. 1435 be adopted. Councilman Powell seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Babcock, Hitchcock, Murray, Powell and McGuire. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

Councilman Babcock moved all bills properly audited be paid. 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 6:20 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