

Torrance, California  
January 11, 1944

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

The City Council of the City of Torrance convened in a Regular Meeting in the Council Chamber, City Hall, Torrance, California, on Tuesday, January 11, 1944, at 7:45 P.M.

Mayor McGuire called the meeting to order.

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

All those present in the Council Chamber saluted the Flag!

Councilman Babcock moved that the minutes of a Regular Meeting held December 28, 1943, be approved as written. Councilman Hitchcock seconded the motion, which was carried unanimously.

WRITTEN COMMUNICATIONS

A communication was read from the Union Oil Company of California, reporting that no permits to place pipe lines or conduits were issued and that no such pipe lines or conduits were constructed in the City of Torrance by said Company, under their Franchise Ordinance No. 1010, during the six months' period ending December 31, 1943. Matter of record.

A communication was read from the Union Oil Company of California, reporting that no permits to place pipe lines or conduits were issued and that no such pipe lines or conduits were constructed in the City of Torrance by said Company, under their Franchise Ordinance No. 1501, during the six months' period ending December 31, 1943. Matter of record.

A communication was read from the Richfield Oil Corporation, reporting that no pipe lines were laid, removed or abandoned in place by said Company during the six months' period ending December 31, 1943, under their Franchise Ordinance No. 1358, as amended by No. 1361, within the City of Torrance. Matter of record.

A communication was read from the Richfield Oil Corporation, advising that the 6-inch gas pipe line and the 2-inch gasoline pipe line installed under Torrance Ordinance No. 92, and which were abandoned in place per approval of City Council February 14, 1939, have been removed from Sepulveda Blvd. from the East Boundary of the City of Torrance to approximately 425' West of the center line of Cedar Avenue, in accordance with permit dated December 1, 1943. Matter of record.

A communication was read from Mrs. F. E. Scott, Secretary of the "Think of Others Sewing Club", requesting permission to hold their meetings in the Band Shell at the Municipal Park, on Wednesdays of each week, during the next few months.

Councilman Babcock moved that the request of the "Think of Others Sewing Club" be granted. Councilman Hitchcock seconded the motion, which was carried unanimously.

A petition, signed by the Max Pons Company and bearing three other signatures, was read, wherein it was requested that the East side of Cabrillo Avenue be zoned for two-hour parking.

Councilman Babcock moved that this communication be referred to the Council as a whole for further consideration and study, and reported on at the next regular meeting. Councilman Hitchcock seconded the motion, which was carried unanimously.

A communication was read from Dorothy Dykes, Secretary of Shipyard Bowling League, requesting that they be permitted to use the Torrance Bowling Alleys after midnight on Saturdays; stating that they are swing shift workers and their time is limited.

Clerk Bartlett stated that he had been advised that they had canvassed the houses in the vicinity of the bowling alley, and there was no objection.

Mayor McGuire inquired about the provisions of the present ordinance in regard to bowling alleys. Clerk Bartlett replied that the ordinance prohibits bowling alleys remaining open after midnight.

Councilman Powell, speaking in favor of this request, stated that he had investigated the recreational facilities in Torrance, and said that the bowling alleys received more patronage than any other place in town, and that it was good clean sport.

Whereupon Councilman Powell moved that the Council take this request under consideration and undertake to have this ordinance amended.

Councilman Babcock inquired if it was to be for the period of the emergency. Councilman Powell replied that was his idea.

Councilman Hitchcock suggested that a written statement be obtained from the adjoining property owners that there was no objection to this arrangement, to be filed as a matter of record.

Councilman Powell thought this should be done, and amended his motion to include this provision.

Councilman Hitchcock then seconded the motion, which was carried unanimously.

A communication was read, signed by seven residents on Crenshaw Blvd., requesting that the trees along Crenshaw Blvd., from Torrance Blvd. to Maricopa Street be topped.

Councilman Hitchcock moved that the communication be referred to the City Engineer with power to act. Councilman Babcock seconded the motion, which was carried unanimously.

A communication was read from the Civil Service Board, recommending that Mrs. Blackshere receive overtime pay for the extra time she puts in, amounting to approximately 2½ hours each week, as reported by Mr. W. H. Stanger, Superintendent of the Water Department.

Councilman Hitchcock moved that the recommendation of the Civil Service Board be concurred in. Councilman Babcock seconded the motion, which was carried by the following roll call vote:

AYES: COUNCILMEN: Babcock, Gucci, Hitchcock, Powell and McGuire.  
NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

A communication was read from Helen E. Vogleson, County Librarian enclosing two copies of bill for County Library service to the City of Torrance for the six months period, July 1st to December 31st, 1943, and advising that there will be a deficit for the fiscal year 1943-44 of \$356.67; and further, requesting that she be advised if a renewal of the contract is desired.

Councilman Hitchcock moved that this communication be held over until the next regular meeting of the Council. Councilman Gucci seconded the motion, which was carried unanimously.

A communication was read from the McAlister Company, in regard to the proposed development of their property in Tract No. 10216.

Councilman Hitchcock moved that this communication be referred to the Council as a whole for further study. Councilman Powell seconded the motion, which was carried unanimously.

Engineer Jain reported that he had talked with the State Highway Department regarding this project and they seemed very skeptical as to whether we could improve these streets, as the only streets and highways they are approving now, for new construction, are either defense highways or are part of a Federal approved housing project.

Councilman Cucci remarked that this appeared to be just a promotion scheme to sell the land, and that nobody would benefit except the owners, and thought the proposition should be rejected.

Councilman Hitchcock said he wanted to make sure we understood all sides of the question before turning him down.

Clerk Bartlett presented and read title to:

RESOLUTION NO. 1623

RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF TORRANCE RE-  
SCINDING RESOLUTION NO. 1621.

Councilman Hitchcock moved that Resolution No. 1623 be adopted. Councilman Babcock seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Babcock, Cucci, Hitchcock, Powell and McGuire. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

Clerk Bartlett presented and read title to:

RESOLUTION NO. 1624

RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF TORRANCE, ACCEPTING BIDS FOR  
CERTAIN TAX DEEDED LANDS IN THE CITY  
OF TORRANCE, AND INSTRUCTING THE CITY  
CLERK TO APPLY TO LOS ANGELES COUNTY  
FOR SUCH TAX DEEDS.

Councilman Babcock moved that Resolution No. 1624 be adopted. Councilman Hitchcock seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Babcock, Cucci, Hitchcock, Powell and McGuire. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

Clerk Bartlett presented and read title to:

RESOLUTION NO. 1625

RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF TORRANCE ACCEPTING EASEMENT DEED  
FROM S. J. KATZ, ET UX. AND J. H. PINE  
ET UX. FOR STREET AND ALLEY PURPOSES.

Councilman Babcock moved that Resolution No. 1625 be adopted. Councilman Cucci seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Babcock, Cucci, Hitchcock, Powell and McGuire. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

Clerk Bartlett presented and read title to:

RESOLUTION NO. 1626

RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF TORRANCE ACCEPTING EASE-  
MENT DEED FROM S. J. KATZ, ET UX.  
AND J. H. PINE, ET UX. FOR STREET  
AND PARKWAY PURPOSES (ARLINGTON AVENUE  
PARKWAY--PLAZA DEL AMO AND SANTA FE  
RAILWAY RIGHT-OF-WAY).

Councilman Babcock moved that Resolution No. 1626 be adopted. Councilman Hitchcock seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Babcock, Cucci, Hitchcock, Powell and McGuire. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

Clerk Bartlett presented and read title to:

RESOLUTION NO. 1627

RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF TORRANCE ACCEPTING AN EASEMENT  
FROM THE PACIFIC ELECTRIC RAILWAY COM-  
PANY, A CORPORATION, OVER A PORTION OF  
LOT C OF TRACT NO. 1427.

Councilman Hitchcock moved that Resolution No. 1627 be adopted. Councilman Babcock seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Babcock, Cucci, Hitchcock, Powell and McGuire. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

Clerk Bartlett presented and read title to:

RESOLUTION NO. 1628

RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF TORRANCE GIVING AN EASEMENT  
TO THE PACIFIC ELECTRIC RAILWAY COM-  
PANY FOR A PRIVATE RIGHT OF WAY OVER  
A PORTION OF LOT S-4, TORRANCE TRACT,  
RECORDED IN MAP BOOK 22, PAGES 82 AND 83.

Councilman Hitchcock moved that Resolution No. 1628 be adopted. Councilman Babcock seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Babcock, Cucci, Hitchcock, Powell and McGuire. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

Councilman Cucci stated he had a resolution which he wished to present for consideration, establishing a system for an annual inventory of City-owned property, tools and equipment; and stressed the need for having this inventory. He said the Auditor advised him that Torrance was the only city in Southern California that does not have an inventory system.

Councilman Cucci thereupon presented and read in full:

RESOLUTION NO. 1629

A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF TORRANCE ESTABLISHING A SYSTEM  
FOR ANNUAL INVENTORY OF ALL CITY-OWNED  
PROPERTY, TOOLS AND EQUIPMENT.

Councilman Cucci moved that Resolution No. 1629 be adopted. Councilman Powell seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Babcock, Cucci, Hitchcock, Powell and McGuire. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

Councilman Cucci remarked that at the last Council meeting someone in Walteria mentioned something about vandalism, and said he looked into the matter and finds that our Juvenile Delinquency Ordinance covers the entire City, which includes Walteria; adding that he did not see that there was anything that could be added to the Ordinance to make it more iron-clad than at present;

Councilman Hitchcock moved that an appropriation of \$73.06, including tax, be made for the purchase of 2.225 tons of barley hay for the horses.

Councilman Babcock seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Babcock, Cucci, Hitchcock, Powell and McGuire. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

Councilman Hitchcock moved that the City Engineer be authorized to advertise for bids for the resurfacing of Cabrillo Avenue, from Carson Street to Plaza del Amo, with a 2" plant-mixed surfacing over the entire street, from curb to curb.

Councilman Powell seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Babcock, Cucci, Hitchcock, Powell and McGuire. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

Councilman Hitchcock thanked Councilman Cucci for his courtesy in holding up his resolution establishing an inventory system for the City, explaining that the reason for this request was that at the time this resolution was first discussed there was some question as to the legality of appointing the City Clerk as Property Custodian.

Councilman Hitchcock then moved that the City Clerk be appointed City Property Custodian at a salary of \$50.00 per month, commencing January 15, 1944.

Councilman Cucci objected to this motion on the ground that Section 878 of the Municipal Corporation Act, and also Section 886 of this Act, contained statements to the effect that the City Clerk shall keep all records reflecting the financial interests of the City, and therefore thought this appointment would be illegal.

Councilman Powell also objected to Councilman Hitchcock's motion as he did not believe the Council could legally appoint an elective officer to hold an appointive office in the same municipality, stating that he went into this very thoroughly and had satisfied himself that it is a violation of the Legislative Act, as Section 886 of the Municipal Corporation Act specifically says what the City may or may not do. Councilman Powell further said that Mr. Bartlett had talked to him about this, and the purpose of this appointment was that he needed the money as his present salary was not sufficient. However, he said he had consulted attorneys about this and they had informed him that such an appointment would be illegal, and he was therefore convinced that it would be illegal.

Councilman Hitchcock advised Councilman Powell that opinions on this question had been obtained from Mr. Burke, and the Attorney General's office; and also, that this matter was referred to the Legal Department of the League of Municipalities, and they had all agreed that the Council is perfectly within its rights in making such an appointment.

Councilman Cucci read a copy of a letter Mr. Bartlett had written to Mr. Robert W. Kenny, Attorney General; adding that he believed they were under the impression that this position of Property Custodian is foreign to the position of City Clerk, but it was his opinion that such

duties would come under the duties to be performed by the City Clerk, and therefore did not think this action would be legal.

Clerk Bartlett stated that he had taken this matter up with the City Auditor quite a long time ago and it was his opinion that the duties of Property Custodian are foreign to the duties of the City Clerk. He said it is true that it is the duty of the City Clerk to keep a record of all the transactions, but to be responsible for the property of the City is foreign to the duties of the City Clerk; and further stated that on the advice of the City Attorney he drew up this resolution; and that he had obtained the opinion of some of the biggest attorneys in the State of California, and they have approved of it.

Councilman Powell called attention to the fact that Mr. McMaster is Custodian of City property and is under bond for that purpose.

At the request of Mayor McGuire, Attorney McCall read Sections 881 and 886 of Act 5233 of the General Laws, setting forth the duties of the City Clerk.

Councilman Cucci stated that in his opinion the duties of Property Custodian are absolutely the duties of the City Clerk.

Clerk Bartlett read a communication from the State Attorney General's office, in which he concurred in opinions given by City Attorney McCall, Mr. Burke, attorney for the League and Mr. Sheedy, attorney for the Peace Officers, approving proposed action by the City Council in appointing and paying the City Clerk for services as Property Custodian in addition to the compensation received as City Clerk. Mr. Kenny cited the case of Love vs. Baehr, 47 Cal. 364, which he claimed constituted direct authority for the contemplated action by the City of Torrance.

Councilman Powell advised Clerk Bartlett that it was his legal duty to keep these records, and that it was his privilege to have requested an increase in salary at the time he ran for re-election.

Clerk Bartlett replied that he did request an increase in salary at that time but that the Council thought it was not the proper time to ask for an increase.

Councilman Powell stated he was going to exercise his privilege as a citizen regardless of a majority rule and that he would carry this to the highest courts, and if necessary to the State Supreme Court; adding that it is the legal duty of the City Clerk to keep such records.

Clerk Bartlett remarked that there are additional duties given to all City Clerks, and cited cases of City Clerks in other municipalities who performed duties in addition to their regular duties.

Councilman Babcock seconded Mr. Hitchcock's motion that the City Clerk be appointed as Property Custodian.

Councilman Cucci objected to Councilman Hitchcock's motion being acted upon at this time, and moved that a vote be taken as to whether this motion should be acted upon at this time.

Councilman Powell seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Babcock and Hitchcock. NOES: COUNCILMEN: Cucci, Powell and McGuire. ABSENT: COUNCILMEN: None.

Councilman Babcock moved that Paul S. Chambers be employed as a Bus Driver, on a temporary basis, at a salary of \$170.00 per month, effective December 24, 1943. Councilman Cucci seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Babcock, Cucci, Hitchcock, Powell and McGuire. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

Councilman Babcock moved that Virgil H. Plunkett be employed as a Bus Driver, on a temporary basis, at a salary of \$170.00 per month, effective December 28, 1943. Councilman Cucci seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Babcock, Cucci, Hitchcock, Powell and McGuire. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

Councilman Babcock moved that an appropriation of \$51.75 be made to the Standard Welding and Manufacturing Co. for welding a rear axle housing for the Bus Department. Councilman Hitchcock seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Babcock, Cucci, Hitchcock, Powell and McGuire. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

Councilman Babcock moved that an appropriation of \$991.81 be made to the White Motor Company for the reconditioning of motor, transmission, etc. on Bus No. 103. Councilman Hitchcock seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Babcock, Cucci, Hitchcock, Powell and McGuire. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

Mayor McGuire moved that the sum of \$3566.23 be appropriated for the semi-yearly contract with the County of Los Angeles for Library service, for the period from July 1st to December 31st, 1943. Councilman Hitchcock seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Babcock, Cucci, Hitchcock, Powell, and McGuire. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

Mayor McGuire moved that the sum of \$128.50, including tax, be appropriated for the reroofing of the Walteria Library building. Councilman Powell seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Babcock, Cucci, Hitchcock, Powell and McGuire. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

Mayor McGuire moved that the sum of \$40,000.00 be transferred from the General Fund of the City to the General Fund of the Torrance Municipal Water District No. 1, effective January 1, 1944, with no interest. Councilman Babcock seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Babcock, Cucci, Hitchcock, Powell and McGuire. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

Engineer Jain reported on the woodyard, conducted by Mr. Koshak at 2214 - 236th Street; stating that Mr. Koshak has not hauled in any more wood during the past year and a half, and is getting rid of it as fast as he can. Mr. Jain said Mr. Koshak assured him that he would get rid of it as fast as he could and asked for another temporary license for this purpose. Mr. Jain recommended that he be given a temporary license as the only way Mr. Koshak could get rid of it would be to sell it or burn it up.

After some discussion, Mayor McGuire suggested that this matter be referred to the City Attorney for advice on the status of this case.

Engineer Jain reported on the Southwest Refuse Disposal Committee and asked the Council what action they wished to take in regard to this matter. Mr. Jain explained that this Committee had assured him that the City would not be obligated for any expense for the making of this survey, as the cost will be paid by the County and charged directly against the Tax Roll; that this was for survey purposes only, to determine what could be done in the future in the matter of a garbage and refuse disposal system for all the cities in the south bay area, which includes seven cities.

Engineer Jain further explained that this survey must be authorized before the 15th of this month, in order that the County may include it in this year's budget, and therefore any resolution from the City must be in before that time.

After considerable discussion Mayor McGuire suggested that Engineer Jain find out just what the County intended to do to make this survey; whether they intended to employ a number of high priced experts, which would make the cost of the survey very expensive.

Engineer Jain promised to make further inquiries and make a report at an adjourned meeting to be held on Thursday, January 13th.

Engineer Jain reported on the proposed improvement of Catalina Avenue, and said the least he could recommend for the type of traffic on this street would be a 2" plant-mixed surfacing. He said the cost of putting on a 1" rock and oil surfacing would be about \$4500.00 if done by City forces, or about \$5600.00 by contract; and the cost of a 2" plant-mixed surfacing would be about \$7000.00. He further stated he had written to the County Road Department and asked them if there was any possibility that they could finance this project as this street did not benefit Torrance in the least, but no reply had been received as yet.

#### ORAL COMMUNICATIONS

Mr. J. Hagberg, of WALTERIA, addressed the Council briefly, urging that the streets in the WALTERIA area be improved as many of them were in very bad shape.

Mr. Sturgeon, a representative of The Texas Company, stated that his Company proposed to install a pipe line extending from Torrance to Wilmington, consisting of a 10-inch line for the transportation of oil, and it is desired to lay a portion of this line along Western Avenue, from 203rd Street to the southerly terminus of Western Avenue at 228th Street; and requested that the Texas Company be granted a temporary permit, allowing it to install this line pending the granting of a franchise, application for which they intend to make at a very early date.

Mayor McGuire advised Mr. Sturgeon that he saw no reason why this franchise would not be granted, and suggested that the Attorney for The Texas Company meet with Attorney McCall and submit the franchise to the Council on Thursday; also that their Engineer be present at the same meeting.

Mrs. Olea M. Davis, 2312 Dominguez Street, made an appeal to the Council that something be done to stop the dogs in her neighborhood from digging up their lawns and gardens and otherwise destroying property; also that some of these dogs were vicious and had bitten people.

Police Chief Stroh advised Mrs. Davis that the South Bay Humane Society would have taken some action before this, but that Mrs. Davidson has been sick, but that he had just received word from her that she intended to come in tomorrow, January 12th, and sign complaints against eight individuals.

Mrs. Davis also requested that something be done about the keeping of roosters within the City of Torrance, as their crowing was keeping people awake in the early morning hours.

Police Chief Stroh advised that the Fourth War Bond Drive would start on January 18th, and the Bond Committee had requested the use of the City Ambulance to canvass the City next week, between the hours of 6:00 P.M. and 9:00 P.M. each day.

Mayor McGuire advised Chief Stroh that it would be all right to allow the Bond Committee to use the Ambulance for the selling of War Bonds.

Mrs. Barber addressed the Council in regard to the matter of keeping roosters in the City of Torrance, and complained that she can't sleep after 4:00 A.M. on account of them, and requested that some action be taken.

Councilman Cucci stated that this was the first time any complaints had been received in regard to roosters, and that he would obtain a copy of an ordinance from the City of Los Angeles, regulating the keeping of roosters, and would bring it to the next Council meeting.

Councilman Babcock moved that all bills properly audited be paid. Councilman Hitchcock seconded the motion, which was passed by the following roll call vote: AYES: COUNCILMEN: Babcock, Cucci, Hitchcock, Powell and McGuire. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

At 9:50 P.M. on motion of Councilman Cucci, seconded by Councilman Babcock, the meeting adjourned until Thursday, January 13th, at 5:00 P.M.

  
CITY CLERK OF THE CITY OF TORRANCE

APPROVED:

  
MAYOR OF THE CITY OF TORRANCE