

Torrance, California
July 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, July 11, 1944, at 7:50 P.M.

Mayor Tolson called the meeting to order.

Clerk Bartlett called the roll, those answering present being Councilmen: Gucci, Gilbert, Hitchcock, Powell and Tolson. Absent: Councilmen: None.

All those present in the Council Chamber saluted the Flag!

Councilman Powell moved that the minutes of a Regular Meeting held June 21, 1944, and of an Adjourned Regular Meeting held July 5, 1944, be approved as written. Councilman Hitchcock seconded the motion, which was carried unanimously.

WRITTEN COMMUNICATIONS

A communication was read from the General Petroleum Corporation of California, advising that no pipe line was laid under Ordinance No. 781, during the six months' period ending June 30, 1944. Matter of record.

A communication was read from the Union Oil Company of California, advising that no pipe line was laid in the City of Torrance under the provisions of Ordinance No. 1010, of the County of Los Angeles, during the six months' period ending June 30, 1944. Matter of record.

A communication was read from the Union Oil Company of California advising that no pipe line was laid in the City of Torrance under the provisions of Ordinance No. 1501, of the County of Los Angeles, during the six months' period ending June 30, 1944. Matter of record.

A communication was read from Bowen's Joyland Shows, requesting that they be allowed to take out a license to exhibit in Torrance during the period from July 28 to August 6, inclusive, 1944; also a communication from the Montebello Post #272, of The American Legion, recommending Bowen's Joyland Shows.

In answer to an inquiry from Councilman Hitchcock, Police Chief Stroh advised that he had talked to the Chief of Police in Montebello regarding this show, who stated they had been given no trouble during the ten days it showed there.

Councilman Hitchcock moved that the request of Bowen's Joyland Shows be granted and that they be issued a license. Councilman Gilbert seconded the motion, which was carried unanimously.

A communication was read from the International Association of Chiefs of Police, requesting that the Chief of Police be authorized to attend the 51st Annual Conference of the International Association of Chiefs of Police, to be held in Cleveland, Ohio, August 14-15-16, 1944.

Replying to an inquiry from Councilman Hitchcock, Chief Stroh advised that he did not wish to attend this Conference as the Police force was short of help.

On motion of Councilman Hitchcock, seconded by Councilman Cucci, the communication was ordered filed.

A communication was read from the Labor Herald, requesting that the City take advertising space in the Labor Day edition of the Labor Herald to the extent of \$35.00, as was done last year.

Councilman Hitchcock moved that the request of the Labor Herald be granted. Councilman Cucci seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Cucci, Gilbert, Hitchcock, Powell and Tolson. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

A communication was read from the Torrance Chamber of Commerce, presenting a petition signed by twenty-two (22) retail merchants and industrialists in the City of Torrance, on behalf of the "Second Torrance Rodeo" in requesting that the Council appropriate the sum of \$500.00 toward the estimated advertising cost of \$1000.00 to be spent in advertising this Rodeo.

Councilman Cucci stated that the Rodeo was a huge success last year and there wasn't any such sum of money spent for advertising. However, upon being informed that the Rodeo was to become an annual event, and that the City of Torrance would receive a great deal of favorable advertising, Councilman Cucci moved that the request of the Chamber of Commerce be granted, and that the sum of \$500.00 be appropriated for advertising the "Second Torrance Rodeo". Councilman Hitchcock seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Cucci, Gilbert, Hitchcock, Powell and Tolson. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

A communication was read from Captain Robert L. Lewellen, Commanding Officer, Company H, 2nd Battalion, 39th Regiment, California State Guard, advising that the State Armory, headquarters of Company H, has been completed and will be dedicated at a Battalion Exercise to be held at the City Park on Tuesday, July 18, 1944, at 8:00 P.M.; and requesting the Mayor and members of the City Council to attend the dedication.

Mayor Tolson advised that he and the members of the City Council would attend the dedication, if possible.

A communication was read from Engineer Jain, stating that he had been advised by the League of California Cities that a total of \$12,945.00 will probably be available to the City of Torrance for Post War Plans, Specifications and acquisition of rights of way, under Senate Bill No. 48, Chapter 47, to be distributed as follows: \$3,841.00 for acquisition of rights of way, and \$9,104.00 for preparation of plans and specifications.

Mayor Tolson advised that in order to obtain these funds, the City would be required to appropriate a like amount.

Following some discussion, Councilman Hitchcock moved that the City Engineer be authorized to investigate and find out what is necessary to be done to obtain these funds, and to report to the Council.

Councilman Cucci seconded the motion, which was carried unanimously.

A communication was read from Engineer Jain, regarding the request of Ernest G. Dandoy for a license to conduct a glass business at 2221-235th Street, in the City of Torrance; advising that this small business could be classified as a home occupation, as it would be carried on in his garage; and recommending that Mr. Dandoy be granted a business license for a limited time and that its extent be confined to a home occupation only.

Councilman Powell moved that the City Engineer's recommendation be concurred in by the Council, and that a business license be issued to Mr. Dandoy for a period of six months.

Councilman Cucci thought there shouldn't be any time limit, as long as Mr. Dandoy complied with the Ordinance.

Engineer Jain stated that a business license is only good for one year and an investigation could be made at the expiration of that time to see that he was not exceeding the limits of a home occupation.

Councilman Powell withdrew that portion of his motion specifying six months; and moved that a license be issued for one year.

Councilman Hitchcock seconded the motion, which was carried unanimously.

A communication was read from Engineer Jain submitting "First Monthly Estimate" for work performed on the grading and paving of Crenshaw Boulevard, between 190th Street and Redondo Beach Boulevard, and recommending that the sum of \$18,233.02 be paid the Olympic Contracting Company for work performed up to and including July 7, 1944, at the unit prices set forth in the contract, less the ten percent withheld as per the specifications.

Councilman Hitchcock moved that an appropriation of \$18,233.02 be authorized from gas tax funds, for payment to the Olympic Contracting Company, as recommended by the City Engineer. Councilman Powell seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Cucci, Gilbert, Hitchcock, Powell and Tolson. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

A communication was read from J. C. Hedgecock, 18211 Prairie Avenue, requesting a refund of \$8.00; being the amount paid on May 8, 1944 for Building Permit No. 5248; advising that he was requesting this refund because he will not be able to build as he was unable to obtain a priority to purchase the materials.

Councilman Cucci moved that the request of Mr. Hedgecock for a refund of \$8.00 be granted. Councilman Hitchcock seconded the motion which was carried by the following roll call vote: AYES: COUNCILMEN: Cucci, Gilbert, Hitchcock, Powell and Tolson. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

Clerk Bartlett presented a Petition from property owners and residents adjacent to the present right-of-way of the Santa Fe Railway Company, signed by approximately 180 citizens, petitioning the City Council to deny extension of the franchise to said Railroad. However, due to the present war emergency, they stated it would be agreeable to extend the franchise for the duration of the war and for a length of time thereafter sufficient to enable the Railway Company to relocate and reroute their tracks through other area, but no longer.

Councilman Cucci stated that there was some discussion on this subject at the last Council meeting, and inasmuch as these petitioners were willing to extend the franchise a reasonable time after the war, he moved that their request be granted.

A gentleman in the audience, Mr. A. L. Elder, 2325 Carson Street, stated that he would like to see a time limit specified in this motion stating a specified time after the war, for the Railroad Company to relocate its tracks.

Councilman Cucci amended his motion to read that the Franchise be extended for the duration of the war and six months thereafter; and asked Attorney McCall if the Franchise couldn't be extended as it is.

Attorney McCall advised that it wasn't necessary to extend the Franchise, stating that it would remain as it is; adding that the

Attorney for the Santa Fe had contacted him and is ready to cooperate in the framing of an ordinance as soon as the Council advises what they want in the ordinance.

After considerable discussion, Councilman Cucci withdrew his original motion, and moved that the City Attorney be authorized to confer with the Attorney for the Santa Fe Railway Company and ascertain whether the Railway Company would be willing to accept an extension of the franchise for the duration of the war and six months thereafter; and also to check as to the legality of such a contract, and to report back at the next regular meeting of the Council. Councilman Powell seconded the motion, which was carried unanimously.

Clerk Bartlett presented and read title to:

RESOLUTION NO. 1677

RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF TORRANCE, CALIFORNIA, AUTHORIZING
THE RETURN OF MONIES HERETOFORE PAID TO
THE CITY FOR THE PURCHASE OF TAX DEEDS,
BECAUSE OF SUBSEQUENT COURT ACTION.

Councilman Hitchcock moved that Resolution No. 1677 be adopted. Councilman Gilbert seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Cucci, Gilbert, Hitchcock, Powell and Tolson. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

Clerk Bartlett presented and read title to:

RESOLUTION NO. 1678

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

Councilman Hitchcock moved that Resolution No. 1678 be adopted. Councilman Gilbert seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Gilbert, Hitchcock, Powell and Tolson. NOES: COUNCILMEN: Cucci. ABSENT: COUNCILMEN: None.

Councilman Cucci moved that the City Custodian, James Brodie, be authorized to employ R. W. Miller, as Janitor, at a salary of \$155.00 per month, effective July 12, 1944. Councilman Powell seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Cucci, Gilbert, Hitchcock, Powell and Tolson. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

Councilman Cucci moved that the City Electrician be authorized to employ Joe R. Webb, as Maintenance Electrician, on a temporary basis, at a salary of \$210.00 per month, to become effective as soon as he is available. Councilman Powell seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Cucci, Gilbert, Hitchcock, Powell and Tolson. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

Councilman Cucci moved that an expenditure of not to exceed \$166.00 be authorized for the painting of the upper portions of 83 steel lamp posts on Cabrillo Avenue. Councilman Gilbert seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Cucci, Gilbert, Hitchcock, Powell and Tolson. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

Councilman Cucci asked Attorney McCall if he had anything to report on the subject of the special Census for the City of Torrance.

Attorney McCall advised that he had investigated the matter, and that up until yesterday, July 10, the State and the County were trying to work out a plan whereby all the cities will be taken in on the spot census.

Councilman Hitchcock moved that an appropriation of \$135.00 be authorized for the purchase of additional culvert pipe for use in the construction of Crenshaw Boulevard, north of 190th Street. Councilman Powell seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Cucci, Gilbert, Hitchcock, Powell and Tolson. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

Councilman Hitchcock moved that the part-time office of Purchasing Agent be transferred from the Engineer's Office to City Clerk Bartlett, at a salary of \$50.00 per month. Councilman Gilbert seconded the motion.

Councilman Cucci objected to this motion, on the grounds that it is illegal, stating: "I think it is illegal for an elective officer to hold a part-time job," and inquired of Attorney McCall if this was not correct.

Attorney McCall said he did not think there was anything illegal about it; adding, there was a lot of precedent for it in this State and elsewhere.

Councilman Cucci asked Attorney McCall if it wouldn't be illegal for the rest of the Councilmen to appoint him to a part-time job.

Attorney McCall replied that he did not know about that. The duties of a Councilman, he said, are different from that of a Clerk, and he didn't know whether it would change the matter or not as he hadn't gone into it.

Councilman Powell said the same matter had come up before, when Mr. Bartlett was trying to set up the job of Property Custodian, and the wording of the law is so plain there is no question of a doubt in any man's mind who is interested in good government, that it is illegal.

Mayor Tolson stated that he had investigated the matter thoroughly, as to how the matter was handled by other cities; and that out of forty-two or forty-three cities, in twenty-eight of these cities the City Clerk was also the Purchasing Agent.

Councilman Powell said it is true that many things are going on in violation of legislative acts set up for the governing of municipalities, from first class cities down to the lowest, and until they are put in their place such things will continue to go on.

"I have had experience with this gentleman before" said Councilman Powell, "regarding the government of the City, and I have had to go into court twice to establish my own constitutional rights, and if I have to do it again I will have the courage to do so."

Councilman Cucci inquired: "Why this sudden change?" "Is there any reason for this change?" "Hasn't the job of Purchasing Agent been efficiently taken care of during the past years?"

Councilman Hitchcock replied: "Mr. Jain has done a very good job of it, but entirely too much work has been put on Mr. Jain's shoulders."

Councilman Cucci: "I haven't heard him complain."

Councilman Powell: "It is very plain why the change." "Mr. Bartlett has had the privilege of governing the City for years, in a round about way, in my opinion." "He ran for the office of City Clerk knowing what the office was paying, and he had made the statement to me that it wasn't sufficient to carry him." "If I had the ability he claims he has I would get out and get the money where it is." Councilman Powell further stated it was easy to understand why a man running for an elective office doesn't want to have a salary increase up at the time he is running for re-election.

Councilman Cucci said he was not interested in the political angle, but believed there should be some reason for the change.

Councilman Gilbert said that Mr. Jain had previously advised the Council that he has been putting in hundreds of hours of overtime, and wondered if he didn't want to get rid of it.

Councilman Cucci stated that there is compensation for it, and thought it was paying a pretty good salary.

"Any man can see that it isn't good business" said Councilman Powell, "No elective officer should ever be appointed to an appointive office that pays a salary." "It just isn't good business."

Clerk Bartlett: "It is true that many City Clerks hold different jobs." "They hold them legally and they receive compensation for them." "This Purchasing Agent job is closely connected with my office and we don't get the efficiency we would if it was in my office."

"Mr. Jain is worked to death," said Mr. Bartlett, "He has to take work home with him and he has expressed himself that he would like to get rid of it; and it would increase the efficiency of our office if the purchasing was in our office."

Councilman Cucci moved that Councilman Hitchcock's motion be tabled indefinitely. Councilman Powell seconded the motion, which was defeated by the following roll call vote: AYES: COUNCILMEN: Cucci, and Powell. NOES: COUNCILMEN: Gilbert; Hitchcock and Tolson. ABSENT: COUNCILMEN: None.

Mayor Tolson then called for a roll call vote on Councilman Hitchcock's original motion, which was carried by the following vote: AYES: COUNCILMEN: Gilbert, Hitchcock and Tolson. NOES: COUNCILMEN: Cucci, and Powell. ABSENT: COUNCILMEN: None.

Mayor Tolson remarked that while the previous attempt to appoint Mr. Bartlett to the office of Property Custodian had come up some time ago, it was a similar case, and he had read the legal opinions of the Attorney General, Mr. Burke Attorney for the League of California Cities and our own Attorney, as well as some other attorney, and they all ruled that in their opinion it was legal; and that in taking the advice of attorneys of that calibre he didn't feel that he was jeopardizing himself in doing so.

Councilman Powell said that once before Mr. Bartlett had claimed he was acting on the best legal minds that he could get, in advising that he didn't have to put our names on the ballot; and stated that he would have the matter tried out in court.

Clerk Bartlett replied that he would like to see it tried out in court.

Said Bartlett, "If there is any investigating to be done, perhaps the City should check up on convention appropriations when its delegate only attends one session in three days."

Councilman Gilbert moved that the Park Superintendent be authorized to employ Archie Hammonds, as Park Maintenance Man, to replace Rex Baker, at a salary of \$155.00 per month, effective July 1, 1944. Councilman Cucci seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Cucci, Gilbert, Hitchcock, Powell and Tolson. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

Councilman Gilbert moved that the Recreation Superintendent be authorized to employ Roy Vaughn, five hours a day, five days a week, at 40¢ per hour; advising that he is a young boy, still in school, and will be employed at the Recreation Center to assist Mrs. Bohrer. Councilman Hitchcock seconded the motion.

Councilman Powell stated that we have a minimum wage for City employees, and thought the salary stated was a little out of line; adding that if the boy is qualified to fill the job he should be qualified to draw the minimum wage.

Mr. Riley stated that while he had no objection to the City paying him more money, he was just a boy and assists Mrs. Bohrer in cleaning up; and believed he was only thirteen years old, but has a work permit from the school.

After some further discussion, Councilman Hitchcock said he thought the hourly rate of pay mentioned would be sufficient, but if we find we are wrong, it can be changed later, and again seconded Councilman Gilbert's motion.

Councilman Cucci said he would like to amend the motion by adding that Roy Vaughn be hired providing it is legal; and that Attorney McCall be instructed to check on the legality before he is employed.

Councilman Gilbert accepted the amendment to his motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Cucci, Gilbert, Hitchcock, Powell and Tolson. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

Councilman Gilbert moved that the salary of the Park Superintendent, Fred Blake, be adjusted by increasing his pay \$10.00 a month, effective July 1, 1944. Councilman Hitchcock seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Cucci, Gilbert, Hitchcock, Powell and Tolson. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

Councilman Cucci remarked that in discussing the Budget it was discovered that there are two heads of departments whose salaries should be adjusted, whereupon he moved that the salary of James Brodie be increased \$10.00 per month. Councilman Hitchcock seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Cucci, Gilbert, Hitchcock, Powell and Tolson. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

Councilman Cucci advised that the WALTERIA Civic Organization had requested the use of some chairs and tables to be used in connection with a program they had arranged for Wednesday, July 12, and moved that this request be granted. Councilman Gilbert seconded the motion, which was carried unanimously.

Engineer Jain commented on the transfer of the Purchasing Department from his office to that of the City Clerk, stating that he had held the office of Purchasing Agent for three years and realized it was the will of the Council to make the change.

Mr. Jain stated he had tried to do a good job during the time he had held the office, but believed that the purchasing for an organization as large as the City should be done by a full-time man. He stated that he had made several improvements in the system which he would be glad to pass on to his successor.

Engineer Jain also reported on the proposed sewer line for 203rd Street, stating that it has been very difficult to make an estimate of the cost of this project because installations of that kind are very high. He advised that he had checked with other cities and finds that the sewer will cost somewhere between \$7500.00 and \$9000.00, which figures would include house connections. The main line can be laid for a little less than \$5000.00, he said, but the house connections will cost approximately as much as the sewer itself.

Attorney McCall said he was checking on all possible methods to install the sewer and would see if some method could be found to install this system.

After considerable discussion Mayor Tolson advised Mrs. Alcalá that the City Attorney would have his report ready in a week or so and she would be advised of their decision.

Councilman Powell requested the Secretary of the meeting to furnish him with an exact copy of the Minutes.

Attorney McCall advised that he had been requested, by the Chief of Police, to render an opinion in regard to painting the Police cars black and white; and finds there is a State law which requires all cities to paint their cars the same distinctive colors as used by the State Highway Patrol, and the State Highway Patrol has decided that black and white are the distinctive markings they desire.

Mayor Tolson advised that he had checked into the matter of the County Sanitation Sewer line to be constructed in North Torrance and had been advised that it would be handled the same as the County Sanitation District; and that the County and the other cities involved, have passed the resolution just as it was presented to Torrance.

Engineer Jain inquired if they would resurface the streets.

Councilman Hitchcock suggested that the City Engineer request a letter from them to this effect.

Mayor Tolson stated that they were very anxious to get started and suggested that the Resolution be acted upon without further delay.

Clerk Bartlett presented:

RESOLUTION NO. 1679

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE GRANTING TO THE UNITED STATES GOVERNMENT AN EASEMENT FOR THE CONSTRUCTION OF A TRUNK LINE SEWER ALONG CERTAIN STREETS IN THE CITY OF TORRANCE.

Councilman Hitchcock moved that Resolution No. 1679 be adopted. Councilman Powell seconded the motion.

Councilman Gilbert inquired if it was legal to pass a resolution by number or heading only; explaining that in a number of instances resolutions have been passed by heading only and have never been completed; and would like to have an opinion as to the legality of this procedure.

Attorney McCall advised that this procedure was legal, and the resolution in effect, even if it is never formally written up, although it should be written up.

Councilman Cucci stated that while he didn't think it was good procedure, in some instances it is necessary that it be done this way because of the time element. However, he agreed that all resolutions should be written up.

A roll call vote was taken on Councilman Hitchcock's motion, which was carried, as follows: AYES: COUNCILMEN: Cucci, Gilbert, Hitchcock, Powell and Tolson. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

Mayor Tolson advised that the Bus Manager, Mr. Ward, has been using his own automobile for the last few years, without any compensation for it, and that he has requested the City to pay for the expense of overhauling it, the cost of which is estimated at approximately \$100.00.

Whereupon, Mayor Tolson moved that an appropriation be authorized, in an amount not to exceed \$100.00, for the overhaul and repair of Mr. Ward's automobile. Councilman Hitchcock seconded the motion, and amended same by increasing the amount of the appropriation to \$150.00 for the repair of Mr. Ward's automobile, which was carried by the following roll call vote: AYES: COUNCILMEN: Cucci, Gilbert, Hitchcock, Powell and Tolson. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

ORAL COMMUNICATIONS

Mr. Marsteller inquired about his contract for the sale of tickets at the Los Angeles Bus Station, stating that he had been told Mr. Koors would be in to see him about it.

Mayor Tolson assured Mr. Marsteller that this would be taken care of shortly.

Mr. Thomas Babbitt, a member of the Civil Service Board, called attention to the fact that there was already a position of "Assistant Electrician" set up, and if a man was to be employed he suggested that a promotional examination be held in order to give the present City employees an opportunity to qualify for it.

Councilman Hitchcock advised that the position to be filled was a temporary job, as "Maintenance Electrician."

Engineer Jain advised that it was a temporary position at present, but if it was decided to make it permanent an examination would be requested.

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

At 9:35 P.M., on motion of Councilman Gucci, seconded by Councilman Hitchcock, the meeting adjourned.

A. H. B...
CITY CLERK OF THE CITY OF TORRANCE

APPROVED:

W. H. Tolson
MAYOR OF THE CITY OF TORRANCE