

Torrance, California
September 24, 1946

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, September 24, 1946 at 7:55 p.m.

In the absence of Mayor Sherfey, Councilman Tolson was appointed in the capacity of Mayor Pro tem.

Mayor Pro tem Tolson called the meeting to order.

Clerk Bartlett called the roll, those answering present being Councilmen: Gilbert, Jackson, Powell and Tolson. Absent; Councilmen: Sherfey.

All those present in the Council Chamber saluted the Flag.

Councilman Gilbert moved that the minutes of a Regular Meeting held September 10, 1946 be amended as follows: "on a temporary basis, pending a Civil Service Examination" be added to the motion made whereby Mr. James Dresser was employed by the City as a Building Inspector, and that the minutes as amended and as written be approved. Councilman Jackson seconded the motion, which was carried unanimously.

WRITTEN COMMUNICATIONS

A communication was read from The American Legion, Bert S. Crossland, Post No. 170, asking the City Council to consider the matter of employing Veterans in City positions, and inquiring whether or not it is possible for Veterans to apply for such positions either on a temporary or permanent basis.

In the ensuing discussion, it was the opinion of Councilmen participating in the discussion that new employees should be selected from the Civil Service Board eligible lists whenever possible and that, also whenever possible, preference be given to Veterans.

It was stated that it is generally understood that temporary employees hired during the war have either been replaced with permanent employees or given an opportunity to qualify as permanent employees through Civil Service Examinations, and further that it is also understood the Civil Service Board and the City Council are in agreement on the point of giving preference to Veterans whenever possible.

Councilman Gilbert moved that the City Clerk be authorized to communicate the thought to the American Legion that both the City Council and the Civil Service Board are in favor of employing Veterans to fill the various City positions whenever possible. Mayor Pro tem Tolson seconded the motion, which was carried unanimously.

A communication was read from William Creighton, 2256 Torrance Boulevard, requesting that one of the street lights on the corner of Torrance Boulevard and Cota Avenue be left on all night.

Councilman Gilbert moved that this request be referred to the City Engineer for action. Councilman Powell seconded the motion, which was carried unanimously.

A communication was read from C. P. Carstensen, 731 Truro Avenue, Hawthorne, applying for a license to operate a patrol service, known as the "California Private Patrol", in the City of Torrance.

Mayor Pro tem Tolson moved that the request be referred to the Chief of Police for investigation and recommendation. Councilman Gilbert seconded the motion, which was carried unanimously.

A communication was read from the Torrance Chamber of Commerce, advising that the Aviation Commission by unanimous vote recommends that the City Council be requested to authorize the City Attorney to draw the proper uniform permit form for concessionaires and permittees at the Torrance Municipal Airport and providing particular emphasis on proper insurance protection to the City of Torrance by concessionaires and permittees.

Councilman Gilbert felt that this action would be premature inasmuch as the City actually has access to the flight strip only and not the entire airport, whereupon he moved that the aforesaid recommendation of the Aviation Commission be referred to the entire City Council for study. Councilman Jackson seconded the motion, which was carried unanimously.

A communication was read from AMVETS (American Veterans of World War II), requesting permission to exhibit in the City of Torrance in their decorated trailer an enemy war material display on a contribution basis.

Mayor Pro tem Tolson moved that the request be granted, subject to approval by the Chief of Police of the location to be used, and that the City Clerk be authorized to notify AMVETS to this effect. Councilman Powell seconded the motion, which was carried unanimously.

A communication was read from Logan R. Cotton, Accountant and Auditor, submitting a proposal for auditing the books and records of the City of Torrance for the fiscal year beginning July 1, 1946 and ending June 30, 1947 as follows:

| | |
|--------------------------|---------------|
| General Government Funds | \$ 525.00 |
| Water Department | 375.00 |
| Municipal Bus System | <u>100.00</u> |

Total of Proposal \$1,000.00

Upon being asked how this compares with last year's proposal, Clerk Bartlett advised that this represents an increase of \$150.00 over the 1945-46 figure.

Councilman Powell moved that the contract with Logan R. Cotton for auditing the books and records of the City of Torrance, Municipal Bus Lines, and Municipal Water District for the fiscal year 1946-47 be renewed on the basis of his proposal as set forth above. Councilman Jackson seconded the motion which was carried by the following roll call vote: AYES: COUNCILMEN: Gilbert, Jackson, Powell and Tolson. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: Sharfey.

A communication was read from the City of Torrance Civil Service Board, advising that Mr. J. W. Loughridge, an employee of the Recreation Department, has requested a leave of absence, without pay, for a period of one month, commencing October 1, 1946. It was advised that the Civil Service Board approved the request, and recommended that the Council grant the leave.

Councilman Gilbert moved that the action of the Civil Service Board be concurred in. Councilman Jackson seconded the motion, which was carried unanimously.

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A communication was read from the City of Torrance Civil Service Board, advising that Miss Irene M. Dumont, Typist-Clerk in the City Clerk's Department, has requested a leave of absence, without pay, commencing September 18 and ending November 1, 1946. It was advised that the Civil Service Board approved the request and recommended that the Council grant the leave.

Councilman Gilbert moved that the action of the Civil Service Board be concurred in. Councilman Jackson seconded the motion, which was carried unanimously.

A communication was read from the Torrance Chamber of Commerce, submitting a Resolution of the Board of Directors adopted September 24, 1946, recommending to the City Council that it adopt an ordinance creating the office of City Manager, and conferring upon him fixed and definite powers and authority to effect economy and curtailment of expenditures in the conduct of public affairs and expenditure of public funds.

Councilman Powell moved that this matter be referred to the entire City Council for study. Councilman Gilbert seconded the motion, which was carried unanimously.

Clerk Bartlett announced that six written protests have been received in connection with adoption of the new proposed business license ordinance, and asked whether or not the Council desired to have them read in full, the decision being in the affirmative.

First communication read was from the Torrance-Lomita District Realty Board, signed by W. E. Bowen, vigorously protesting passage of the ordinance in its present form, and recommending that the entire ordinance be withdrawn for further study by the Council, and that an advisory body be appointed by the Mayor to study the matter. It was also suggested that the proposal of parking meters be withdrawn. A suggestion was made that an ordinance establishing a sales tax of not more than one-half of one percent be substituted for both the new business license ordinance and the parking meter proposal.

A communication was read from D & L Auto Parts, 1324 Cabrillo Avenue, signed by Lee B. Balaam, protesting passage of the proposed business license ordinance on the grounds that the ordinance, in its present form, is discriminatory, and protesting particularly to the proposed head tax.

A communication was read from the Torrance Bowling Academy, 1953 Carson Street, signed by R. R. Kendig, J. D. Hale and A. T. Kendig, owners, protesting passage of the proposed business license ordinance in its present form on the grounds that the result will be that it will necessitate an increase in cost of the general paying public and bring about added undesirable inflation.

A communication was read from Thelan, Marrin, Johnson & Bridges, Attorneys at Law, on behalf of their client, Joshua Hendy Iron Works, stating that if conditions are favorable to the operations of the Company at its Torrance Plant, it may be expected that the Company will expand, but that additional taxes by the City might be deterrent thereto. In this connection, it was suggested that, if the City contemplates passage of a license tax to collect a fee for each employee, the rates be set on an approximate level with rates collected in this manner by the City of Long Beach.

A communication was read from the American Rock Wool Corporation, vigorously protesting passage of the proposed new business license tax, claiming that manufacturers are already heavily burdened with taxes, licenses, fees, etc.

A communication was read from El Prado Furniture Store, 1216-1220 El Prado, protesting passage of the proposed business license tax, claiming that a head tax will prove a burden to their business and hamper future development of new business concerns in the City of Torrance.

Councilman Gilbert moved that the communications be referred to the entire Council for study of the various questions raised by each communication. Councilman Powell seconded the motion, which was carried unanimously.

Prior to casting his second to the motion, Councilman Powell said that he understands it is necessary to adopt the license ordinance at this meeting in order to provide the City with a license ordinance, inasmuch as the old license ordinance has been repealed as of September 30, 1946, and that the objectionable features of the new ordinance can be adjusted by amendment to the ordinance, and that the above communications can serve as a guide for study of the various measures being protested when amendments are being considered.

Councilman Gilbert agreed with Councilman Powell's statements.

A post card communication was read from Emmett A. Ryan, protesting fumes and smoke created by the General Petroleum Company's Torrance plant, and asking that measures be taken to correct the nuisance.

Councilman Powell moved that this protest be referred to the entire Council for study, and that the Chief of the Fire Department be instructed to investigate the matter and report to the Council his findings. Councilman Gilbert seconded the motion, which was carried unanimously.

Clerk Bartlett reported receipt of the report on the proposed Walteria sewer district, prepared by Harold A. Barnett, Civil Engineer, bearing the date of September 24, 1946. He proceeded to read the letter submitted with the report.

Mayor Pro tem Tolson stated that he and Engineer Jain are scheduled to attend a meeting soon with the County Sanitation District, after which an additional report regarding sewer construction can possibly be made.

Engineer Jain said he felt more consideration should be given to the use of alleys in this contemplated sewer district than has been done by Mr. Barnett, whereupon Councilman Jackson moved that the report submitted by Mr. Barnett, be referred to the City Engineer for study and recommendation to the Council. Councilman Gilbert seconded the motion, which was carried unanimously.

A communication submitted by Floyd E. Pendell, Attorney at Law, signed for C. H. Quandt by Carl Quandt, was read, offering to sell to the City of Torrance the Quandt Water Plant for the sum of \$36,500.00 cash, and listing certain withdrawals of materials, equipment and real estate the offer is conditioned upon, and giving details of terms upon which the offer is based.

Councilman Powell commented that, although the offer is \$1500.00 higher than the figure estimated by the Engineers as the worth of the plant to the City in the matter of purchasing same, he felt there would be at least that much money expended in litigation and negotiations if the City refused the offer, and that, therefore, it appears to be a fair proposal.

Mayor Pro tem Tolson moved that the City of Torrance accept the offer of Charles H. Quandt to sell to the City the Quandt Water System for the sum of \$36,500.00 upon the terms and conditions named in the offer, and that the City Attorney be instructed to prepare a formal contract in this connection. Councilman Gilbert seconded the motion, which was carried by the following roll call vote:
 AYES: COUNCILMEN: Gilbert, Jackson, Powell and Tolson. NOES:
 COUNCILMEN: None. ABSENT: COUNCILMEN: Sherfey.

Clerk Bartlett presented and read title to:

RESOLUTION NO. 1799

RESOLUTION OF THE CITY COUNCIL OF
 THE CITY OF TORRANCE, CALIFORNIA,
 DIRECTING THE CITY CLERK TO PUBLISH
 NOTICE INVITING SEALED PROPOSALS
 FOR \$150,000 BONDS OF MUNICIPAL
 WATER DISTRICT NO. 1 OF SAID CITY.

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Councilman Gilbert moved that Resolution No. 1799 be adopted. Councilman Jackson seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Gilbert, Jackson, Powell and Tolson. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: Sherfey.

Clerk Bartlett presented and read title to:

ORDINANCE NO. 376

AN ORDINANCE GRANTING TO PACIFIC ELECTRIC RAILWAY COMPANY, A CORPORATION, ITS SUCCESSORS AND ASSIGNS, THE RIGHT TO CONSTRUCT, MAINTAIN, AND OPERATE A SPUR OR TEAM TRACK UPON AND ACROSS THE WEST ROADWAY OF FERROCARRIL AVENUE IN THE CITY OF TORRANCE, CALIFORNIA.

Councilman Gilbert moved that further reading of Ordinance No. 376 be dispensed with. Councilman Powell seconded the motion, which was carried unanimously.

Councilman Gilbert moved that Ordinance No. 376 be adopted for final reading. Councilman Jackson seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Gilbert, Jackson, Powell, and Tolson. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: Sherfey.

Clerk Bartlett presented and read title to:

ORDINANCE NO. 377

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, DECLARING THE INTENTION OF SAID CITY COUNCIL OF SAID CITY OF TORRANCE TO CALL AN ELECTION UNDER THE MUNICIPAL WATER DISTRICT ACT OF 1935 IN THAT PART OF THE CITY CONTAINED WITHIN THE BOUNDARIES OF THE PROPOSED MUNICIPAL WATER DISTRICT, TO BE KNOWN AS "MUNICIPAL WATER DISTRICT NO. 2 OF THE CITY OF TORRANCE", FOR THE PURPOSE OF SUBMITTING TO THE ELECTORS OF SAID DISTRICT THE PROPOSITION OF AUTHORIZING THE ISSUANCE AND SALE OF BONDS OF SUCH DISTRICT AND FIXING TIME AND PLACE OF HEARING.

Councilman Gilbert moved that further reading of the Ordinance No. 377 be dispensed with. Councilman Powell seconded the motion, which was carried unanimously.

Councilman Gilbert moved that Ordinance No. 377 be adopted for final reading. Councilman Jackson seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Gilbert, Jackson, Powell and Tolson. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: Sherfey.

Clerk Bartlett presented and read title to:

EMERGENCY
ORDINANCE NO. 378

AN ORDINANCE OF THE CITY OF TORRANCE PROVIDING FOR LICENSING AND REGULATING THE CARRYING ON OF CERTAIN PROFESSIONS, TRADES, CALLINGS AND OCCUPATIONS CARRIED ON WITHIN THE LIMITS OF THE CITY OF TORRANCE; REPEALING ORDINANCES NO. 235 AND NO. 235A, AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

Councilman Gilbert moved that further reading of Emergency Ordinance No. 378 be dispensed with unless the assemblage desires to have it read in full. Councilman Powell seconded the motion, which was carried unanimously.

Mayor Pro tem Tolson asked whether or not anyone desired to hear the ordinance in full, there being no replies either in the negative or affirmative. He stated that, since the ordinance was first drafted, changes have been made in the rates in many instances, and particularly in the head tax rates.

At this point, a lengthy discussion began, with many persons in the assemblage addressing the Council and all vigorously protesting passage of the proposed ordinance, which, if passed, would increase the business license tax in all instances. The ordinance was branded as "discriminatory", "unfair" and altogether unnecessary by some persons in the assemblage speaking on the subject, with others conceding that a reasonable increase in the rates might be expected but that the ordinance as proposed sets the rates for at least one type of business as much as 1000% higher than the rate prevailing heretofore, and in almost every instance 100% or more higher.

After a lively discussion, during which it was necessary for Mayor Pro tem Tolson to wield the gavel numerous times to maintain order, Councilman Powell, with the comment that there appears to be too much protest to passage of the ordinance to pass it at this time, made the following motion:

Councilman Powell moved that action on the proposed new business license ordinance be deferred at this time for further consideration and study; that another public hearing be held, and that various civic groups and organizations be invited to appoint delegates to meet with the City Council in an effort to adjust the objectionable features of the proposed ordinance.

Councilman Gilbert called attention to the fact that, unless the Council adopts a license ordinance at this meeting, the City of Torrance will not have a business license ordinance after September 30, 1946, inasmuch as the old ordinance was repealed with the understanding that a new ordinance would go into effect October 1, 1946.

Attorney McCall confirmed Councilman Gilbert's statement.

Someone in the assemblage accused the Council of "railroading" this issue through without giving the public a chance to express opinions, to which Mayor Pro tem Tolson replied that the matter has been under discussion for at least two months, that it has been publicized through the newspaper, and that public meetings have been held.

Councilman Gilbert offered a substitute motion that Ordinance No. 378 be adopted at this time as an Emergency Ordinance, subject to revision by amendments. No second to this motion was forthcoming.

After some further discussion, Councilman Jackson, after first expressing his opinion that he felt the strong protest registered at this meeting warrants further consideration of the ordinance before passage of same, seconded Councilman Powell's motion to defer action on the passage of the ordinance at this time for further consideration, public hearings, etc., as set forth in full in Councilman Powell's motion.

Councilman Gilbert withdrew his substitute motion to adopt the ordinance at this time.

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A vote was then taken on the motion made by Councilman Powell relative to deferring action on passage of the ordinance, seconded by Councilman Jackson, which motion was carried unanimously.

Councilman Powell then moved that a public hearing be scheduled for Wednesday, October 9, 1946, 7:30 p.m. in the Council Chamber, City Hall, for the benefit of all those who may desire to come to the meeting and express opinions and ask questions. Councilman Gilbert seconded the motion, which was carried unanimously.

Councilman Powell moved that an appropriation of \$971.29 be made for purchase of a Ford V8 for the Police Department, full price being \$1721.29 less \$750.00 trade-in allowance on the Police Department's DeSoto sedan. Councilman Gilbert seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Gilbert, Jackson, Powell and Tolson. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: Sherfey.

Councilman Jackson moved that an appropriation of \$76.35, plus tax, be made for purchase of 998 gallons Bitumuls for the Street Department. Councilman Powell seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Gilbert, Jackson, Powell and Tolson. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: Sherfey.

Councilman Jackson moved that an appropriation of \$350.00 be made for road materials for surfacing shoulders along Torrance Boulevard to match gutter grades established for contract work by the Los Angeles City School District. Councilman Powell seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Gilbert, Jackson, Powell and Tolson. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: Sherfey.

Councilman Jackson moved that a painter be employed at a salary of \$250.00 per month, on a temporary basis pending a Civil Service Examination, to replace Gerald Enfield, resigned. Councilman Gilbert seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Gilbert, Jackson, Powell and Tolson. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: Sherfey.

Mayor Pro tem Tolson moved that the Mayor be authorized to sign an Irrevocable Permit with the Public Roads Administration of the United States for use by the City of Torrance of the Lomita Flight Strip. Councilman Powell seconded the motion, which was carried unanimously.

Mayor Pro tem Tolson moved that expenses of Mayor Sherfey, Councilmen Tolson and Gilbert, and Attorneys McCall and Willett be authorized for attendance at the League of California Cities Convention held in San Diego. Councilman Jackson seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Gilbert, Jackson, Powell, and Tolson. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: Sherfey.

Mayor Pro tem Tolson moved that an appropriation of \$265.00 be made for three Marbelite Street Light Standards for replacement. Councilman Jackson seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Gilbert, Jackson, Powell and Tolson. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: Sherfey.

Mayor Pro tem Tolson moved that an appropriation of \$100.00, plus tax be made for 1,000 ft. electric cable for street lights. Councilman Gilbert seconded the motion which was carried by the following roll call vote: AYES: COUNCILMEN: Gilbert, Jackson, Powell, and Tolson. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: Sherfey.

Mayor Pro tem Tolson moved that Mr. Joe J. Webb, City Electrician, be authorized to attend the National Association of Electrical Inspector's Annual Meeting at Sacramento, September

30, 1946 to October 3, 1946, and that Mr. Jack Long, Assistant, be authorized to attend the Western Plumbing Official's Association Meeting at Sacramento October 11, 12 and 13, 1946, expenses paid. Councilman Gilbert seconded the motion which was carried by the following roll call vote: AYES: COUNCILMEN: Gilbert, Jackson, Powell and Tolson. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: Sherfey.

ORAL COMMUNICATIONS

Discussion was renewed on the proposed business license ordinance. Mayor Pro tem Tolson stated that, after attending the recent convention of the League of California Cities, he feels certain that a majority of the cities in California belonging to the League will soon adopt a city sales tax for their various cities, and that Torrance will probably consider this source of revenue as an equitable means of raising funds for operation of the City Government.

Mr. Pat Boyle addressed the Council at this time on behalf of the Veterans, making an appeal that the City set an example by employing Veterans in preference to non-veterans in the various City positions which might be open. He said that there are some women employees of the City, whose husbands hold key city positions, who, by holding city positions, are denying Veterans employment.

Mr. Pat Boyle asked for an accounting by the City of the \$2500.00 expended on the "Welcome Home to Veterans" celebration recently held, the City having agreed to underwrite the Torrance Area Projects to this extent. Clerk Bartlett advised that there is on file in his office a statement of distribution of these funds, and offered to furnish copies to anyone interested in obtaining same. Mr. Boyle requested that this statement be printed in the newspaper.

Mr. Barnett requested that a date be set for him to meet with the Council privately for discussion of a problem he has been confronted with in connection with construction of his building which is to house a cabinet shop, claiming that he had been ordered to stop the job.

Engineer Jain said he was not aware Mr. Barnett had been ordered to stop the job, to which Councilman Gilbert replied that something developed during Mr. Jain's recent absence from the City which he, Councilman Gilbert, has not had an opportunity as yet to inform Mr. Jain about.

Councilman Gilbert moved that Mr. Barnett's request to meet with the Council be granted, and that the City Engineer also be requested to attend the meeting, a date to be set, and Clerk Bartlett to advise Mr. Barnett of the date and time of the meeting. Councilman Jackson seconded the motion, which was carried unanimously.

Mr. Carvill asked on what authority the City collects City licenses from electrical and plumbing contractors. He said that, in a recent court action in regard to this matter, heard in Fresno, California, the Court had held that a city could not legally collect such fees.

Mr. Jack Long, Assistant City Electrician of the City of Torrance, advised that he is acquainted with that particular court case, and that the Court had held that the plumbing and electrical contractors cannot be required to take city examinations so long as they hold State contractor's licenses, but that the Court had not handed down a decision that license fees could not be collected by cities.

Mr. Harold A. Baker, 7247 Hollywood Boulevard, Los Angeles 28, one of the gentlemen who addressed the Council during discussion of the proposed new business license ordinance, requested that he be granted time with the Council for meeting with that body for discussion of the music business, this being the type of business in which he is engaged, as he is contemplating opening a business in the City of Torrance.

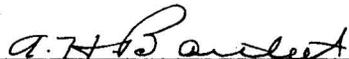
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Councilman Gilbert moved that Mr. Baker's request to meet with the Council be granted, and that a date and time be set, and that Clerk Bartlett be instructed to notify Mr. Baker of time and date decided upon. Councilman Jackson seconded the motion, which was carried unanimously.

Mr. Carpenter, speaking on behalf of the manufacturers, stated that the new business license ordinance as proposed has been studied carefully by the manufacturers.

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

At 9:55 p.m., upon motion of Councilman Gilbert, seconded by Councilman Jackson, the meeting adjourned.


CITY CLERK OF THE CITY OF TORRANCE

APPROVED:


MAYOR OF THE CITY OF TORRANCE