

Torrance, California
February 14, 1939

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 evening, February 14, 1939 at 7:45 P.M.

Mayor Tolson called the meeting to order.

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

Mayor Tolson welcomed the Mayor and a City Councilman of Hermosa Beach, who were seated in the audience.

Councilman Hitchcock moved that the minutes of a Regular Meeting held January 24, 1939 be approved as written. Councilman Murray seconded the motion, which was carried unanimously.

WRITTEN COMMUNICATIONS

A communication was read from N.M. Koblick, urging the improvement of Cabrille Avenue and Torrance Boulevard.

A communication was read from the Palos Verdes Homes Association, expressing appreciation for improvement of the road surface on Huntington Road between the South boundary of Redondo Beach and the North boundary of Palos Verdes Estates.

20779 A communication was read from Mr. and Mrs. Wayne Bishop, 800 Portola Avenue, asking that large trees on Portola Avenue and Maricopa Street be topped. They advised further that a large limb had fallen from one of the trees through the top of their automobile, damaging it in the amount of \$7.00 and inquiring as to procedure necessary to collect said amount from the City.

A communication was read from Steven and Marie Schmidt requesting paving of the alley directly behind Lot 20, Block 80, Torrance Tract, in accordance with Federal Housing Administration specifications.

Councilman Hitchcock moved that the communications be referred to the Engineering Department for report. Council-

man Murray seconded the motion, which was carried unanimously.

A communication was read from Henry C. Day, 1604 Date Ave., Route 1, Box 20, requesting removal of three eucalyptus trees on Lot 14, Block 2, Tract 2761, and removal of one eucalyptus tree on Lot 13, Block 2, Tract 2761. Referred to the Street Department.

A communication was read from Mrs. Hartley E. Carr, offering a palm tree on property at 1537 Marcelina Avenue for use at the City Parks. Referred to the Park Department.

A communication was read from Joseph W. Venable, P.O. Box 225, WALTERIA, offering the lot adjoining the WALTERIA Fire Station for sale at \$200.00. The question arose as to whether or not the City would be benefited through ownership of this property. Mr. Stanger stated that he believed the drying rack is situated on the property in question. The matter was referred to the City Engineer for report at the next meeting.

A communication was read from the City of Los Angeles advising that said City will hold a Primary Nominating Election April 4, 1939 and a General Municipal Election May 2, 1939 and requesting use of the Torrance City Hall as a Polling Place for both elections.

Councilman Hitchcock suggested that Mayor Tolson appoint a committee to investigate the matter, granting or refusing of said request to be left to the discretion of the investigating committee. Mayor Tolson appointed the Finance Committee.

A communication was read from Max Stern, 827 North Matt Street, Los Angeles, requesting permission to carry on business of collecting junk.

Upon recommendation of J.H. Stroh, Director of Public Safety, Councilman McGuire moved that the request be granted. Councilman Hitchcock seconded the motion, which was carried unanimously.

A communication was read from L.J. Gilmeister, Chairman, Highway Committee, Southwest District Highways Association, urging the adoption of a resolution recommending W.R. Barclay, City Engineer of Hawthorne, for appointment to the State Highway Commission.

Councilman Hitchcock moved that Attorney McCall be authorized to draw up a resolution to this effect. Councilman Murray seconded the motion, which was carried unanimously.

A communication was read from the Southern California Gas Company, enclosing check for \$1.47 covering pipe line laid during the period from July 1, 1938 to December 31, 1938, under County of Los Angeles franchise Ordinance No. 463.

Clerk Bartlett reported franchise earnings from Southern California Gas Company for the period January 1, 1938 to December 31, 1938 under Franchise Ordinance 270, 463 and 515 amounting to \$909.56.

A communication was read from the Tide Water Associated Oil Company, successor in interest of Associated Oil Company, reporting no receipts or earnings for the twelve months preceding February 1, 1939 under Franchise Ordinance No. 127.

A communication was read from Richfield Oil Corporation, requesting permission to abandon, in place, one 2" gasoline pipe line and one 6" gas pipe line, both lines located on the Southerly side of Sepulveda Boulevard extending from near the vicinity of Cedar Avenue Southwesterly to the City of Torrance boundary line.

Councilman Hitchcock moved that the request be granted. Councilman Murray seconded the motion, which was carried unanimously.

A communication was read from I. J. Sullivan, 5205¹/₂ South Hoover Street, Los Angeles, demanding payment of wages for six hours time incurred in a trip to Chino to obtain tools with which to erect the fence purchased by the City from the Pittsburgh Steel Company.

Councilman Hitchcock moved that the City Clerk be authorized to direct a letter to Mr. Sullivan, conveying the opinion of the City Council that any payment of wages due him is due from the Pittsburgh Steel Company and not from the City of Torrance. Councilman McGuire seconded the motion, which was carried unanimously.

A communication was read from the Narbonne Ranch Water Company No. 2, requesting permission to supply surplus water to a district known as Kettler's Ranch, said service having been requested by the oil well drillers and lease holders in that district.

Attorney McCall advised that this matter is no concern of the City Council, it being the privilege of the water company to furnish water to anyone desiring the service. Councilman Hitchcock suggested that the Narbonne Ranch Water Company No. 2 be advised to this effect.

A communication was read from the Department of Public Works Division of Highways, advising that funds budgeted under Project 10, Contingencies, had been reduced \$245.00, which should now read \$892.97. (1/4-Cent Gas Tax funds allocated for maintenance of State Highway Routes.) No action necessary.

Clerk Bartlett read the minutes of a meeting held February 1, 1939, attended by a group of property owners, at which time the following projects were recommended for early consideration:

1. Extension and improvement of Crenshaw Boulevard from 190th Street to connect with the present terminus of Crenshaw at Redondo Beach Boulevard.
2. Immediate purchase of the right-of-way through the Kettler Estate for the extension of Cabrillo Avenue, and the improvement of Cabrillo as proposed by Mayor W.H. Tolson.
3. Re-paving of Torrance Boulevard from curb to curb between El Prado and Date Street.
4. Re-surfacing of Hawthorne Boulevard through Walteria to Palos Verdes Estates.

This was read as a matter of record.

Clerk Bartlett reported 1/4-Cent Gas Tax Collections from April, 1937 to January, 1939 amounting to \$14,489.24.

Clerk Bartlett reported tax collections from January 24, 1939 to date as follows:

Secured Solvent Credits	\$681.10
Unsecured Personal Prop.	233.54
	<u>\$914.64</u>

Engineer Young reported that his efforts to contact Pacific Electric Railway Company officials in connection with the caved in culvert on Western Avenue had not been successful as yet.

Engineer Young reported that he had contacted General Petroleum Company officials regarding the right-of-way at 190th Street and Crenshaw Boulevard, stating that the City desired an additional ten feet for drainage purposes and sidewalks in the event the property is ever improved. He said that General Petroleum Company had refused to grant any property beyond the paved portion, and that he had advised them to submit a new deed covering that portion of right-of-way.

Engineer Young submitted a request of the Safeway Stores, Inc., to place a banner across El Prado at the intersection of El Prado and Sartori for the opening of their store at that location, the banner to remain up about one week.

Director of Public Safety Stroh advised that if the banner

is fastened properly the request may be granted.

Councilman Hitchcock moved that the request be granted if all safety rules are complied with. Councilman Murray seconded the motion, which was carried unanimously.

Attorney McCall presented and read title to:

RESOLUTION NO. 1229

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING ACCEPTANCE AND PAYMENT OF GRANT DEED FOR II PARCELS OF LAND WITHIN THE CITY OF TORRANCE, AND ALSO AUTHORIZING RECORDING OF SAID DEED.

Councilman Hitchcock moved that Resolution No. 1229 be adopted. Councilman McGuire seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Hitchcock, McGuire, Murray, Powell and Tolson. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

Attorney McCall presented and read title to:

ORDINANCE NO. 310

AN ORDINANCE OF THE CITY OF TORRANCE DECLARING THE CLOSING UP, VACATING AND ABANDONING IN WHOLE OF THAT PORTION OF THE 15-FOOT ALLEY IN BLOCK 2 OF SUB-DIVISION OF LOT 33 OF MEADOW PARK TRACT.

Councilman Hitchcock moved that further reading of Ordinance No. 310, be dispensed with. Councilman Murray seconded the motion, which was carried unanimously.

Councilman Hitchcock moved that Ordinance No. 310 be adopted for first reading. Councilman Murray seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Hitchcock, McGuire, Murray, Powell and Tolson. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: none.

Councilman Powell asked what could be done to relieve the bad condition on 232nd Street near Narbonne Avenue where the water stands indefinitely after rains. Engineer Young advised that the oil companies had dumped oil in the street, sealing the two dry wells which would ordinarily carry the water off properly. It was decided to investigate the matter. Mr. Gascoigne, Street Superintendent, said that two more wells would be adequate to drain off all the water.

Councilman Powell inquired as to why the WALTERIA Recreation Center had not received a monthly allocation of \$10.00 for transportation of musicians in compliance with the motion of January 10, 1939. Clerk Bartlett replied that the question as to the legality of such a transaction had not been answered to his complete satisfaction. Attorney McCall explained that one of the main subjects of discussion was whether or not the City would be involved in a law suit in the event some one should be injured while traveling to and from the Recreation Center for the Programs. Since the City would be paying for transportation, the driver of the vehicle transporting musicians and players would be an agent of the City.

Councilman Powell then read an excerpt from the minutes of July 26, 1938, referring to an appropriation made for Ladies of the Moose Lodge.

Mayor Tolson asked Attorney McCall if, in his opinion, the expenditure of \$10.00 per month as requested by the WALTERIA Recreation center would be illegal, to which he replied that the City has no authority to make a donation to any organization.

Councilman Hitchcock moved that an appropriation of not to exceed \$114.00 be made for fertilizer for the Municipal Park. Councilman McGuire seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Hitchcock, McGuire, Murray, Powell and Tolson. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

Councilman Hitchcock asked how much income had been derived from dumping at the City Dump. Clerk Bartlett reported the amount to be slightly in excess of \$2,000.00.

Councilman Hitchcock moved that \$1,000.00 of the income derived from dumping be allocated for building the new pistol range. Councilman Murray seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Hitchcock, McGuire, Murray and Tolson. NOES: COUNCILMEN: Powell. ABSENT: COUNCILMEN: None.

Councilman McGuire reported that at a meeting held February 6, 1939 for discussion of forming a Community Players Group, some twenty-eight or twenty-nine representatives of various organizations had approved the idea as an excellent one. He announced the next meeting is scheduled for February 20, 1939 and invited all who are interested in forming a community players group to attend. He asked especially that Mr. Gilmeister attend the meeting.

Councilman McGuire reported that the first meeting of the City Planning Commission was held February 7, 1939 and would hold regular meetings the first Tuesday of each month.

Mayor Tolson designated the terms of office of the Planning Commission as follows:

R.J. Deininger	4 years
S.R. Ludlow	3 years
Charles A. Curtiss	2 years
W.A. Felker	2 years
J. Salm	1 year
J.W. Crowther	1 year

The Planning Commission to be notified of this action.

Mayor Tolson moved that an option for a right of way through the Kettler property for the extension of Cabrillo Avenue be secured for one year. Councilman Murray seconded the motion, which was carried by the following roll call vote AYES: COUNCILMEN: Hitchcock, McGuire, Murray, Powell and Tolson. ABSENT: COUNCILMEN: None. NOES: COUNCILMEN: None.

Mayor Tolson Moved that an appropriation of not to exceed \$169.44 be made for three gas heaters installed in the courtroom and office of the City Judge. Councilman McGuire seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Hitchcock, McGuire, Murray, Powell and Tolson. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

Mayor Tolson moved that an appropriation of not to exceed \$52.50 be made for a used card index file for the Police Department. Councilman Hitchcock seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Hitchcock, McGuire, Murray, Powell and Tolson. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

Mayor Tolson moved that an appropriation of not to exceed \$474.21 be made for booking desk, counter and filing cabinet for the Police Department. Councilman Hitchcock seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Hitchcock, McGuire, Murray, Powell and Tolson. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

Mayor Tolson moved that an appropriation of not to exceed \$51.87 be made for 39 boxes cartridges for the Police Department, being for cartridges used in the past six months. Councilman Hitchcock seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Hitchcock, McGuire, Murray, Powell and Tolson. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

Mayor Tolson moved that an appropriation of not to exceed \$123.60 be made for 12 water meters for the Water Department. Councilman Hitchcock seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Hitchcock, McGuire, Murray, Powell and Tolson. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

Mayor Tolson moved that an appropriation of not to exceed \$470.90 be made for purchase of materials for extension of water lines on El Dorado Street between Fern Avenue and Greenwood Avenue. Councilman Hitchcock seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Hitchcock, McGuire, Murray, Powell and Tolson. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

Clerk Bartlett presented a request of the City Attorney for equipment. Councilman McGuire moved that an appropriation of not to exceed \$77.09, plus sales tax, be made for a four-drawer cabinet and an indirect lighting unit. (Cabinet, \$65.00, lighting unit, \$12.00). Councilman Murray seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Hitchcock, McGuire, Murray, Powell and Tolson. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: None.

ORAL COMMUNICATIONS

Attorney John Shidler addressed the Council and moved that an appropriation of \$318.00 be authorized, to be paid to the Torrance Coordinating Council for the 1938 Factory Frolic.

Mayor Tolson stated that the legality of such a transaction was being debated and asked Clerk Bartlett to read certain excerpts of minutes of the Council referring to the matter. Clerk Bartlett then read portions of the minutes referring to communications dated October 11 and October 25, 1938, respectively.

A lengthy discussion ensued, it being the contention of the Council that since paid bills amounting to \$318.00 had been presented by the Coordinating Council for reimbursement, the City would not be obligated to pay such amount, since they had agreed to pay only the balance outstanding. However, it was pointed out by Mr. Jack Miller, President of the Coordinating Council, that the total cost of the Factory Frolic was \$718.00; that \$400.00 which they had in the treasury at the time of the function was paid, and the \$318.00 deficit had been paid gradually from funds derived from the weekly student dances. He said he had been instructed to pay the bills and then present them to the Council as the regular line of procedure. He said further that they had obligated themselves for other projects, resting assured that the City funds would be forthcoming.

Mayor Tolson asked Attorney Shidler to give his opinion as to whether or not payment of this demand would be a legal transaction. Attorney Shidler said that the City Council could be liable for an unlawful expenditure, but declared that the Council has a deep sense of moral obligation, whatever position is taken. He added that he feels sure there will be no criticism from any source for payment of the money. When asked if the City might be involved in a law suit if the act should be criticized, he replied that there is always the possibility of a law suit on any motion made.

After prolonged discussion, Councilman Hitchcock stated that, since the Coordinating Council had used all the funds they had in their treasury at the time of the Frolic and had paid off the \$318.00 balance from funds derived since that time, he felt the City should pay the bill as requested.

Councilman Hitchcock moved that an appropriation of not to exceed \$318.00 be made to cover the deficit of the \$718.00 in-

curred and expended in promoting the Torrance Factory Frolic in 1938. Councilman Murray seconded the motion, which was carried by the following roll call vote: AYES: COUNCILMEN: Hitchcock, McGuire, Murray and Tolson. NOES: COUNCILMEN: Powell. ABSENT: COUNCILMEN: None.

Clerk Bartlett then announced his decision not to sign any warrants for this bill until he is convinced the expenditure is a legal one.

Mr. Hagberg of Walteria then asked for a definite answer as to whether Walteria Recreation Center will receive \$10.00.

Councilman Powell read an excerpt of the minutes of January 10, 1939. He remarked that he was of the opinion the action of the Council in appropriating funds to the Coordinating Council was illegal, according to Attorney McCall's ruling in connection with the Walteria matter.

Attorney McCall then stated that his purpose is to protect the City Council, but that his original ruling that funds can be appropriated for these purposes by the Chamber of Commerce as a regular Chamber of Commerce function still remains unchanged. He said the Chamber of Commerce can legally pay the amounts and then be reimbursed by the City. Finally, after a prolonged discussion, Mr. Hagberg and the other interested persons were advised to contact Mr. Gilmeister, Secretary of the Chamber of Commerce. Mr. Powell offered his copy of the minutes of January 10, 1939 to show to Mr. Gilmeister in case any question arises.

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

At 9:28 P.M.; upon the motion of Councilman Murray, seconded by Councilman Hitchcock, the meeting adjourned.

A. H. Bartlett
City Clerk of the City of Torrance

Approved:

W. H. Tolson
Mayor of the City of Torrance