

Torrance, California
April 28, 1942

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, April 28, 1942 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.

Everyone present in the Council Chamber Saluted the Flag!

Councilman Hitchcock moved that the minutes of a Regular Meeting held April 15, 1942 and of an Adjourned Regular Meeting held April 21, 1942 be approved as written. Councilman Powell requested that the minutes of April 21, 1942 be amended by the insertion therein of the total number of votes received by each candidate in the General Municipal Election held April 14, 1942. Clerk Bartlett advised that this information is embodied in Resolution No. 1528. Councilman Powell withdrew his request. Councilman Babcock seconded Councilman Hitchcock's motion to approve minutes as above stated, which motion was carried unanimously. Councilman Powell requested a copy of Resolution No. 1528.

WRITTEN COMMUNICATIONS

A communication was read from the Torrance High School, extending an invitation to the Open House function to be held April 30, 1942 at 2:00 P.M.

A communication was read from the First Church of Christ, Scientist, requesting permission to place two signs showing location of the new edifice, one at 218th Street and Arlington Avenue and one at Carson Street and Manuel Avenue.

Councilman Hitchcock moved that the request be granted provided requirements of the Police Department are met. Councilman Babcock seconded the motion, which was carried unanimously.

A communication was read from William F. Barta, Attorney At Law, addressed to John E. McCall, City Attorney, enclosing copy of request for dismissal, without prejudice, of the Coast Brick Company vs, City of Torrance, et al, action. It was stated by Mr. Barta that his clients have a new suggestion to make regarding the matter of excavation on the premises involved, and it is felt that the entire aspects of the case will be viewed in a different light if the City grants the privilege of a re-hearing in the matter.

Councilman Powell moved that the communication be placed on file for future reference. Councilman Hitchcock seconded the motion, which was carried unanimously.

A communication was read from the Automobile Club of Southern California, advising that the Allocation and Priority Commission have issued orders that no metal is to be used for any type signs after June 30, 1942. It was stated that different types of materials are being tested for use in sign construction for the duration of the War.

A communication was read from Samuel J. Katz, requesting removal of pepper trees located on the West side of Andreo Avenue between Plaza del Amo and Lincoln Avenue.

Councilman Babcock moved that the communication and request be referred to the Street Department for recommendation and action if necessary. Councilman Hitchcock seconded the motion, which was carried unanimously.

A communication was read from the State Compensation Insurance Fund, regarding Case No. Y860925, Glenn M. Jain, injured February 24, 1942, and advising that after consideration of the facts, the Compensation Insurance Fund has determined that the City of Torrance has no responsibility for the injury, since it did not arise out of and occur in the course of his employment with the City as City Engineer, but happened while he was engaged in Civilian Defense duties as a volunteer worker.

A lengthy discussion ensued at this point, Mayor McGuire remarking that considerable debate has arisen in the League of California Cities meetings as to responsibility of cities for injuries sustained by city employees while on Civilian Defense duties. Councilman Babcock suggested adoption of a resolution designating persons engaged in Civilian Defense duties as regular city employees while performing said duties and, therefore, entitled to full protection as such, at which time Mayor McGuire pointed out that payment of compensation is based upon remuneration paid by the city to employees, and, he said, inasmuch as persons are not paid for performance of Civilian Defense duties, there would exist no basis upon which to establish compensation due injured employee.

Chief Stroh stated that Mr. Gayle in the County Office of Civilian Defense had suggested that the City of Torrance make an issue of this matter, inasmuch as it is felt the State Compensation Insurance Fund will be establishing a precedent in connection with responsibility of cities to employees engaged in Civilian Defense work by the decision rendered in the Glenn M. Jain case.

Attorney McCall advised that Federal Legislation is expected in the near future to be enacted whereby persons engaged in Civilian Defense work will be protected by insurance. Mr. McCall advised further that the judges for the State Fund have consistently held that the Fund is not liable in cases of this nature, an opinion, he said, in direct conflict with his own belief. He said it will take a decision from the District Court of Appeals to settle the matter. If it is desired to appeal the case, Mr. McCall advised that Mr. Jain should file his claim against the City through the Industrial Accident Commission, at which time a decision will be rendered and the case can then be carried to the District Court of Appeals. Mr. McCall remarked that Mr. Jain has six months in which to file his claim. He offered to contact Mr. Campbell, an authority on compensation matters, and obtain his reaction and opinion in this case.

Mayor McGuire suggested to Mr. Jain that he file his claim with the Industrial Accident Commission, this to be made a test case to obtain a definite ruling as to responsibility of cities to employees engaged in Civilian Defense duties.

Mr. Jain stated that city employees are subject to call twenty-four hours each day, and must report for duty when summoned to do so during an emergency. Therefore, he pointed out, there would be a question as to whether or not workers could be classified as "voluntary" workers, or whether they would be classed as regular city employees during performance of Civilian Defense duties.

Councilman Babcock moved that Attorney McCall be instructed to determine the procedure necessary to appeal the case of Glenn M. Jain, a City employee, injured during performance of Civilian Defense duties during a blackout, a decision having been rendered by the State Compensation Insurance Fund that the City is not responsible for injuries received by employees during performance of such duties on the grounds that the employee is serving as a voluntary worker. Councilman Hitchcock seconded the motion, which was carried unanimously.

A communication was read from Glenn M. Jain, City Engineer, relating to the request from Clifford F. Reid that the city furnish water for the shrubbery on certain streets in Hollywood Riviera. Mr. Jain reported that his investigation had convinced him that the condition does not justify the City furnishing water for the two particular streets mentioned any more than does any other street in this locality and recommended that the request not be granted unless a change is made to provide this service for the entire area.

Councilman Hitchcock moved that the communication be filed for future reference. Councilman Powell seconded the motion, which was carried unanimously.

A communication was read from Glenn M. Jain, City Engineer, regarding the request by Robert T. Russell to be allowed to move a house into the City of Torrance. Mr. Jain advised that the house does not conform to the Uniform Building Code or the City Building Ordinance, although, he said, the house is of fair construction. Mr. Jain requested the Council to take action in the matter.

Councilman Babcock moved that the matter be referred to the Planning Commission for decision. Mayor McGuire remarked that the Planning Commission has no authority to render decisions, but can only make recommendations. Councilman Babcock's motion received no second and was lost.

Mr. Jain was asked for a recommendation as to whether or not the house should be allowed to be moved in. He said he would prefer not to render the decision in the matter, particularly due to the fact that it is becoming increasingly difficult to obtain materials to build new houses. He said the house in question is

approximately thirty years of age and in good condition for the type of house it is, being as good as the balance of the houses on the street it will be moved onto if the decision is favorable, with the exception of one house.

Councilman Babcock asked whether or not Mr. Jain felt the City should set a precedent by allowing a house which does not comply with the Uniform Building Code to be moved into the City. Mr. Jain advised that each request for permission to move a house into the City can be handled individually. Councilman Babcock said he had no objection to allowing it to be moved in if the owner will state in writing his intention to bring the house up to standard safety requirements.

Councilman Powell moved that the request of Robert T. Russell for permission to move a house into the City of Torrance be granted, provided all requirements of the Engineering Department will be met regarding safety regulations. Councilman Hitchcock seconded the motion. Engineer Jain cautioned that it will be necessary to relax certain requirements, inasmuch as the house is built of 2 x 3" studding and cannot be brought up to every standard specified in the Uniform Building Code. The motion was carried unanimously.

A communication was read from Glenn M. Jain, City Engineer, advising that Mr. Sutliff, 111 Terrace Avenue, Altadena, has again requested permission to connect to the water system supplied by the new well in North Torrance, the point of connection to be near the Coast Brick Company yard and extend 300 feet northward along Prairie Avenue to Mr. Sutliff's residence. Mr. Jain inquired whether or not the Council desires to allow additional customers on the system and if not, whether or not Mr. Sutliff could be granted permission to lay a private water line from the Coast Brick Company well to the residence along Prairie Avenue.

Attorney McCall said there is nothing to prevent the City from allowing additional customers to hook onto the water lines in North Torrance if the Council so desires, as the water system at the present time belongs to the City.

Engineer Jain mentioned that the system is of limited size and old pipes are in use. No one is attending the water system at the present, he added.

Clerk Bartlett read a communication from Donald Findley, Counselor-at-Law, advising that Wednesday, May 6, 1942 will be a convenient day for all parties interested to meet and discuss and determine, if possible, whether the City should retain title to the North Torrance Water System.

Councilman Babcock suggested that the meeting be held May 6, 1942 at 7:30 P.M. Clerk Bartlett was instructed to notify Mr. Findley that the meeting will be held May 6, 1942 at 7:30 P.M. in the City Hall with the City Attorney and members of the City Council in attendance.

Councilman Babcock moved that Mr. Sutliff of 111 Terrace Avenue, Altadena, be granted permission to lay a private water line from the Coast Brick Company well to his residence along Prairie Avenue, the line to extend approximately 300 feet along Prairie Avenue, provided all requirements and specifications of the Engineering Department are met. Councilman Hitchcock suggested that some provision be made whereby the City would be released from all liability in connection with granting the above permit. Councilman Babcock amended his original motion, by adding thereto "and that the City Attorney be instructed to draw up an agreement whereby the City of Torrance would assume no responsibility whatever in connection with the installation by Mr. Sutliff of a private water line from the Coast Brick Company well to his residence." Councilman Hitchcock seconded the motion, which was carried unanimously.

A communication signed by John H. Stroh, Chief of Police, and approved by Glenn M. Jain, City Engineer, was read, recommending that certain curbs be painted red for bus stop signs; that all zones on Arlington Avenue be 25 feet in length instead of 50 feet as requested, zones 1-15-24 to be 25 feet in length; that six bus stop signs be posted in the southern end of the City on Arlington Avenue where curbs are insufficient; and that benches be placed as suggested by Mr. Ward in his communication read at the April 15, 1942 meeting. It was stated that the cost will be approximately ten gallons of paint, plus labor.

Councilman Hitchcock moved that the recommendation of the Chief of Police that certain curbs be painted red for bus stops, be complied with. 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.

A communication was read from C. T. Rippey, Torrance Director Metropolitan Water District, regarding furnishing emergency water to non-member cities of the Metropolitan Water District. It was recommended that emergency water should not be furnished to non-member cities, and several reasons presented explaining how this conclusion was arrived at. It was further recommended that a similar resolution to the one passed by the City of Santa Ana, copy of which was read to the City Council at the Regular Meeting held April 15, 1942, pertaining to this matter, be adopted by the City Council of the City of Torrance.

Clerk Bartlett presented and read title to:

RESOLUTION NO. 1529

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE REQUESTING THAT THE BOARD OF DIRECTORS OF THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA TAKE NO ACTION WHEREBY IT WILL AGREE TO FURNISH EMERGENCY WATER TO NON-MEMBER CITIES OF THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA.

Councilman Hitchcock moved that Resolution No. 1529 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.

A communication addressed to Mr. Lloyd Aldrich, City Engineer, Bureau of Engineering, Los Angeles, signed by H. P. Cortelyou, Engineer-Director of the Department of Public Works, Los Angeles, was read, pertaining to the unsatisfactory drainage in the unimproved shoulder areas along Western Avenue, north of 190th street. It was advised that cost of grading and surfacing the portion of the street mentioned before construction of the five-foot shoulders on both sides of Western Avenue as suggested by Glenn M. Jain, City Engineer of the City of Torrance, could be contemplated would be approximately \$5570.00. It was recommended that the work might be financed from one of the $\frac{1}{2}$ State Gas Tax Contingency Funds available for projects on Streets of Major Importance.

A communication was read from the County of Los Angeles, Board of Supervisors, enclosing copy of a resolution adopted by the Board of Supervisors on April 14, 1942 relating to the resolution of the City Council of the City of Los Angeles proposing that a conference be called to study a plan of consolidating local governmental agencies in the Los Angeles County metropolitan area. It was resolved that the Clerk of the Board be instructed

to notify the City Council of the City of Los Angeles of the Board's sympathetic interest in this matter, and of its desire to cooperate with local taxing agencies in extending the type of functional consolidation named, but of its disinclination to consider those drastic changes which structural consolidation would entail as long as the present war continues. Matter of record.

A communication was read from the Federal Works Agency, Public Roads Administration, advising that the procedure for securing authorization to begin construction on street and road projects of the class in which the Cabrillo Avenue project apparently falls has not yet been established, it therefore being impossible for the Agency to furnish assistance at the present time.

Mr. Jain advised that he had contacted numerous offices, both County and State, and is unable to ascertain whether or not, after the trackage and overhead facilities are removed from the Cabrillo Avenue right of way, the City will be allowed to proceed with the paving and improvement of the street. Mr. Jain was requested to contact the Griffith Company, contractors, and determine whether or not they can furnish any information as to whether or not the City will be allowed to purchase necessary materials for repair and reconstruction of Cabrillo Avenue after removal of the trackage and overhead facilities.

A communication was read from the City of Torrance Civil Service Board, requesting that Mr. J. O. Bishop be contacted and asked whether or not he desires to remain on the original Civil Service Board governing the Police and Fire Departments; and if not, that another member of the City of Torrance Civil Service Board should be appointed to serve on the old Board in place of Mr. Bishop.

Councilman Hitchcock moved that the City Clerk be authorized to direct a communication to Mr. J. O. Bishop and inquire whether or not he desires to remain on the original Civil Service Board governing the Police and Fire Departments. Councilman Babcock seconded the motion, which was carried unanimously.

A communication was read from the Loyal Order of Moose, Lodge No. 785, presenting a resolution for adoption, if approved, to join in the patriotic observance of June 13, 1942 as Douglas MacArthur Day. The request was submitted for permission to hold a parade on June 13, 1942, beginning at 6:30 P.M., through the City of Torrance to the Loyal Order of Moose, Lodge No. 785, club rooms, after which parade a dance is to be held, proceeds to go to the ambulance fund for purchase of an ambulance for the City of Torrance.

Clerk Bartlett presented:

RESOLUTION NO. 1530

RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF TORRANCE COMMEM-
ORATING DOUGLAS MacARTHUR DAY.

Councilman Hitchcock moved that Resolution No. 1530 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 Babcock moved that the request of Loyal Order of Moose, Lodge No. 785, for permission to hold a parade in the City of Torrance beginning at 6:30 P.M. June 13, 1942 be granted, provided all requirements of the Police Department as to route and procedure are met. Councilman Hitchcock seconded the motion, which was carried unanimously.

A communication from Charles T. Rippey was read, setting forth an analysis of the fiscal affairs of the City of Torrance during the past five years. Suggestions were offered for effecting greater economy and reducing the tax rate.

Councilman Hitchcock moved that the communication be referred to the City Attorney for study with the view of adopting any of the suggestions which it is felt will effect greater economy and efficiency throughout City departments. Councilman Babcock seconded the motion, which was carried, Councilman Powell casting a negative vote.

Councilman Powell moved that the Chief of the Fire Department and the Chief of the Police Department be authorized to allow vacations for the employees of their respective departments, with the understanding with each employee that his vacation can be immediately terminated if an emergency should arise which would require his services. Councilman Babcock seconded the motion, which was carried unanimously.

Councilman Powell moved that an appropriation of not to exceed \$247.00, plus tax, be made for 2 H. & R. Reising 45 calibre sub machine guns, 2 extra clips and 2 carrying cases for the Police Department. 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 an appropriation of not to exceed \$84.00, plus tax, be made for purchase of rubber hose for fire protection for City buildings, as recommended by the Civilian Defense Council. 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 an appropriation of not to exceed \$50.00, plus tax, be made for pipe and fittings for fire protection for the City buildings. 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 an appropriation of not to exceed \$550.00, plus tax, be made for small tools for the Street Department. 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 an appropriation of not to exceed \$48.40 be made for curtains and awnings for the Diesel Patrol Grader for the Street Department, this appropriation in addition to the appropriation made March 24, 1942 due to different size curtains required. 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 an appropriation of not to exceed \$75.00 be made for material for repairs to No. 4 International truck for the Street Department. 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 Babcock moved that Dale Riley, Superintendent of the Recreation Department, be authorized to act in the capacity of Coordinator in charge of the 1942 Baseball Tournament to be held in the month of August, 1942. Councilman Hitchcock seconded the motion, which was carried unanimously.

Councilman Babcock suggested that a resolution be adopted urging the Office of Civilian Defense to furnish the City of Torrance with certain Civilian Defense equipment, such as gas masks and helmets.

Chief Stroh said it would be advisable to adopt such a resolution. He stated that a number of cities have purchased helmets at a cost of \$2.00 each for use of the Civilian Defense workers. He recommended that three hundred be purchased by the City of Torrance, these to be supplementary to the one hundred forty-three furnished the City by the County of Los Angeles.

Councilman Babcock moved that Attorney McCall be instructed to draft a resolution to be numbered 1531, urging the Office of Civilian Defense to furnish the City of Torrance with Civilian Defense equipment, such as gas masks and steel helmets; that the Mayor be authorized to execute the resolution, copies to be sent to all Civilian Defense authorities, Federal and State, and copies to be sent to Congressmen and Senators representing this district, the resolution to emphasize the vulnerability of the City of Torrance to aggressor attacks. 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.

ORAL COMMUNICATIONS

Mr. Crowther from WALTERIA requested that the weeds growing in the center of Park Street between 242nd and 244th Streets in WALTERIA be exterminated. Also, Mr. Crowther requested that the olive grove in WALTERIA be cleared of fallen tree branches, as, he said, they create a fire hazard. Councilman Hitchcock advised that these matters will be referred to the Street Department.

Mr. Bowen presented and read a Consent to change set back line form, signed by owners of the real property on the northerly side of Marcelina Avenue between Arlington Avenue and Cravens Avenue, consenting to the erection and location of a building or structure eleven feet from the street line on the property described as Lots 10 and 11 in Block 15, Torrance Tract.

Mr. Bowen explained that the purpose of this request is to allow enclosure of the porch of the Central Evangelical Church, located on the corner of Marcelina and Arlington Avenues, now undergoing repairs, to bring it into architectural conformity with various other buildings, the intention being to convert the porch into a lobby and thereby harmonize that particular portion with the church edifice. Mr. Bowen filed the petition with Mr. Jain, City Engineer. Mr. Bowen advised that the signatures on the petition represent all property owners who will be affected by this action.

Mr. Jain, City Engineer, recommended that the request of Mr. Bowen for variance in the set back line on the corner of Arlington and Marcelina Avenues from the required twenty feet to eleven feet be granted.

Councilman Hitchcock moved that the request of Mr. Bowen for variance in the set-back line on the corner of Arlington and Marcelina Avenues, Lots 10 and 11, Block 15, Torrance Tract, and upon which property is located the Central Evangelical Church, to establish the set-back line at eleven feet instead of the required twenty feet, be granted. Councilman Babcock seconded the motion, which was carried unanimously.

Manuel Alvarez of Pueblo inquired regarding the petition presented at the April 15, 1942 Council meeting in which it was requested that a baseball field be established in Pueblo. He was advised that the Recreation Committee will render a report in the near future on this matter.

Clerk Bartlett reported receipt of \$942.50 from the State of California, being alcohol beverage license fees apportionment for the period July 1 to December 31, 1941. Matter of record.

It was decided to withhold action on the matter of going on record as favoring construction of defense housing units in the Shoestring Strip until after the meeting scheduled for Friday, May 1, 1942, is held.

The matter of setting up an emergency fund in the Water Department was discussed, it being mentioned that \$25,000.00 had been tentatively agreed upon. It was decided to await a communication from Logan R. Cotton, City Auditor, for his recommendation in the matter.

Councilman Hitchcock moved all bills properly audited be paid. 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.

At 9:40 P.M., upon motion of Councilman Hitchcock, seconded by Councilman Babcock, the meeting adjourned.


City Clerk of the City of Torrance

APPROVED:


Mayor of the City of Torrance