

Torrance, California
June 22, 1948

**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, June 22, 1948, at 8:05 p.m.

Mayor Sherfey called the meeting to order.

Clerk Bartlett called the roll, those answering present being Councilmen: Drale, Haggard, Powell and Sherfey. Absent: Councilmen: Jackson.

All present in the Council Chamber saluted the Flag.

Councilman Drale moved that the minutes of a Regular Meeting held June 8, 1948 be approved as written. Councilman Powell seconded the motion which was carried unanimously.

Mayor Sherfey announced that this is the time and place for hearing on Case No. 121, Petition of Luther Mumford for Change of Zone, and Case No. 122, Petition for Rezoning.

City Administrator Stevens read the printed Notice on the final hearing of the Petition of Luther Mumford for a Change of Zone, Case No. 121, affecting the westerly 150 ft. of Lots 17 and 32 of Tract No. 3458; being the frontage on Hawthorne Avenue, and extending from Emerald Street to Spencer Street, and requesting that this property be rezoned from A-1 (Light Agricultural) to C-2 (General Commercial).

City Administrator Stevens advised that no written communications have been received.

City Administrator Stevens then read a portion of the Planning Commission's proceedings in the case, which stated that rezoning should be made only by the Planning Commission and that variances should be given instead of rezoning, in order to protect the property owners, whereupon the Commission denied the petition.

Mayor Sherfey called for oral protests.

There being no protests either written or oral, Councilman Powell moved that the Council concur in the action of the Planning Commission in denying the petition of Luther Mumford for a Change of Zone. Councilman Haggard seconded the motion which was carried unanimously.

Case No. 122. City Administrator Stevens read the printed notice with regard to the proposed rezoning of Lot 1, Block 90, Torrance Tract; and the East 120 ft. of the South 140 ft. of Lot 1, Tract No. 7873; being the Southeast and Northwest corners, respectively, of Torrance Boulevard and Crenshaw Boulevard, from R-3 (Multiple-family Residential) and R-1 (Single-family Residential) to C-1 (Retail Commercial).

City Administrator Stevens reported that no written communications have been received, and advised that the Planning Commission approved the proposed rezoning which was instigated by the Commission.

Mayor Sherfey called for oral protests.

There being no protests either written or oral, Councilman Haggard moved that the Council concur in the recommendation of the Planning Commission to approve the proposed rezoning as above set forth. Councilman Drale seconded the motion which was carried unanimously.

Mayor Sherfey asked if there were any written or oral protests in the matter of the vacation of a portion of the alley in Lot A-27 of Block 27, Torrance Tract.

There being no protests, either written or oral, Mayor Sherfey declared Ordinance No. 404, ordering the vacation of the above-mentioned alley, to be in full force and effect.

Mayor Sherfey announced that this is the time and place for hearing of objections to the granting of an electric franchise to the Southern California Edison Company.

Councilman Drale asked if this franchise will increase the rates to the consumers.

Mr. C. C. Bartlett, representative of the Southern California Edison Company, assured him that the rates to the consumers will not be affected, that the rates are based on the population per square mile.

Councilman Drale moved that the Southern California Edison Company be granted an electric franchise. Councilman Powell seconded the motion which was carried by the following roll call vote: AYES: COUNCILMEN: Drale, Haggard, Powell and Sherfey. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: Jackson.

Mayor Sherfey announced that an ordinance granting the franchise will be read later in the evening.

This being the time and place for opening of bids for the collection and disposal of garbage and non-combustible rubbish, Clerk Bartlett proceeded to open and read the one bid received as follows:

<u>BIDDER</u>	<u>ALTERNATE</u>	<u>PRICE BID</u>
George M. Green 1511 Post Avenue Torrance, Calif.		Lump Sum Price to be paid per month by the <u>City of</u> <u>Torrance</u>
	"A" For Garbage and Non- Combustible Rubbish Collection and Disposal For Entire City	\$1260.00 per mo.
	"B" For Garbage and Non- Combustible Rubbish Collection and Disposal for Sections of the City as Shown on Map in the Office of City Clerk and the City Engineer	\$1045.00 per mo.

If additional units required to be served are completed and occupied within the City of Torrance, the above-mentioned flat rates will be increased by twenty-five cents (25¢) per unit, to be paid on the first day of the month after each unit is occupied.

A Certified Check of \$100.00 accompanied the bid.

Councilman Powell moved that the bid for garbage submitted by Mr. Green be referred to the Council as a whole for consideration, the contract to be awarded at the next meeting to be held June 29, 1948. Councilman Drale seconded the motion which was carried unanimously.

This being the time and place fixed for the opening of bids for gasoline, Clerk Bartlett opened, examined and read the following bids:

<u>BIDDER</u>	<u>PRODUCT</u>	<u>BID</u>
Union Oil Company 600 Union Oil Bldg. Los Angeles 14, Calif.	"7600" Gasoline	\$.189 per gallon f.o.b. Torrance
	"76" Gasoline	\$.164 per gallon f.o.b. Torrance

Federal Tax excluded.

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<u>BIDDER</u>	<u>PRODUCT</u>	<u>BID</u>
Pathfinder Petroleum Co. 3970 Medford Street Los Angeles, Calif.	Pathfinder Ethyl	\$.1753 per gallon
	Pathfinder Pioneer	\$.1653 per gallon

The above prices are inclusive of the California State Tax of .045¢ per gallon, but are exclusive of any Federal Tax.

Ragsdale & Newell, Wholesale Distributors for Hancock Oil Company 2319 Arlington Avenue Torrance, California	Ethyl Gasoline	\$.172 per gallon
	Regular Gasoline	\$.162 per gallon

Less $\frac{1}{2}$ ¢ per gallon for truck and trailer deliveries.
These prices include State of California Gasoline Tax but exclude Federal Tax.

Tide Water Associated Oil Co. Flying "A" Associated Division Pacific Electric Building Los Angeles 14, Calif.		\$.1565 per gallon
	AroTane	\$.1715 per gallon

For truck and trailer deliveries, an additional discount of \$.005 per gallon will be allowed.

The above prices include the State Motor Vehicle Fuel Tax and exclude the Federal Tax.

Councilman Powell moved that the bids for gasoline submitted by the above companies be referred to the Council as a whole for consideration, the contract to be awarded at the next meeting. Councilman Haggard seconded the motion which was carried unanimously.

A communication was read from the Union Oil Company submitting sealed bid for pipe line franchise to be presented to the City Council at a meeting to be held July 6, 1948.

The Torrance Herald presented for renewal contract for advertising for the fiscal year 1947-48, said contract being the same as last year's, with the exception that for the first publication the rate shall be \$1.56 per column inch; and for the second and all subsequent publications of the identically same notice, the rate shall be \$1.20 per column inch, which represents a 30% increase.

Councilman Drale moved that the contract submitted by The Torrance Herald be taken under advisement by the Council, the contract to be awarded at the next meeting. Councilman Haggard seconded the motion which was carried unanimously.

A petition bearing seventeen signatures was read requesting the installation of boulevard stop signs on Pennsylvania Avenue at the intersection of 236th Street, or such other points as deemed advisable, because of the traffic hazards existing from speeding on Pennsylvania Avenue.

Councilman Drale moved that the Chief of Police be instructed to investigate this area for traffic conditions and report to the Council at the meeting of June 29, 1948. Councilman Powell seconded the motion which was carried unanimously.

A communication was read from Attorney Chas. T. Rippey, enclosing Appeal of John Mayer from the decision of the Planning Commission, which denied his petition for Variance from the present zoning of Block 12, Walteria Tract, for the removal of diatomaceous earth.

Mayor Sherfey moved that this appeal be referred to the Council for consideration at the hearing on this case, which has been set for July 20, 1948. Councilman Powell seconded the motion which was carried unanimously.

A communication was read from Ralph Fritz making application for permit to sell fireworks at 23223 Narbonne Avenue, Torrance, which application was approved by Fire Chief McMaster.

Councilman Haggard moved that a permit be granted Ralph Fritz upon recommendation of Fire Chief McMaster. Councilman Drale seconded the motion which was carried unanimously.

Councilman Drale moved that the Council concur in the recommendation of Fire Chief McMaster to grant the following fireworks permits:

M. L. Looper	1782 Carson Street
Mario Landin	Narbonne Avenue & 238th St.
Carl's 5 and 10¢ Stores	1512 Cravens Avenue
Jack Schumes	2223 Torrance Boulevard

Councilman Haggard seconded the motion which was carried unanimously.

The application of Albert J. Trahan, Jr. for fireworks permit, referred to Fire Chief McMaster for recommendation, was denied, for the reason that the request is for five days, which is contrary to Ordinance No. 185, and because the request is for stands on four lots in Tract 14.

After some discussion Councilman Drale moved that Albert J. Trahan, Jr. be granted permission to sell fireworks at the designated locations, provided he comply with the requirement of Ordinance No. 185 and that only one stand be located on the lots in Tract 14. Councilman Powell seconded the motion which was carried unanimously.

The application of W. C. McFann for permit to sell fireworks, referred to Fire Chief McMaster for recommendation, was denied, because the stand is to be located on property which has a gasoline service station and the owner of the property refuses to permit such a stand.

Councilman Haggard moved that the Council concur in the recommendation of Fire Chief McMaster. Mayor Sherfey seconded the motion which was carried unanimously.

Clerk Bartlett presented and read title to:

RESOLUTION NO. 1907

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE ACCEPTING EASEMENT DEED FROM BEATRICE JOHNSON, ANNA J. LECHNER AND HUGH N. CAMERON, AS THEIR SEPARATE PROPERTY, AND AUTHORIZING RECORDING OF SAME.

Councilman Powell moved that Resolution No. 1907 be adopted. Councilman Drale seconded the motion which was carried by the following roll call vote: AYES: COUNCILMEN: Drale, Haggard, Powell and Sherfey. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: Jackson.

Clerk Bartlett presented and read title to:

RESOLUTION NO. 1908

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE ACCEPTING EASEMENT DEED FROM HARVEY L. RICHARDSON AND STELLA R. RICHARDSON, HUSBAND AND WIFE, AND AUTHORIZING RECORDING OF SAME.

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Councilman Drale moved that Resolution No. 1908 be adopted. Councilman Powell seconded the motion which was carried by the following roll call vote: AYES: COUNCILMEN: Drale, Haggard, Powell and Sherfey. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: Jackson.

Clerk Bartlett presented and read title to:

RESOLUTION NO. 1909

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE ACCEPTING EASEMENT DEED FROM ELEANOR K. BREE, CLARA R. REYNOLDS, EDITH M. WHEELER AND BESSIE K. CAIN, AND AUTHORIZING RECORDING OF SAME.

Councilman Haggard moved that Resolution No. 1909 be adopted. Councilman Powell seconded the motion which was carried by the following roll call vote: AYES: COUNCILMEN: Drale, Haggard, Powell and Sherfey. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: Jackson.

Clerk Bartlett presented and read title to:

RESOLUTION NO. 1910

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE ACCEPTING GRANT DEED FROM SUNHAVEN PROPERTIES, INC. TO THE CITY OF TORRANCE AND AUTHORIZING RECORDING OF SAME.

Councilman Drale moved that Resolution No. 1910 be adopted. Councilman Powell seconded the motion which was carried by the following roll call vote: AYES: COUNCILMEN: Drale, Haggard, Powell and Sherfey. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: Jackson.

Clerk Bartlett presented and read title to:

RESOLUTION NO. 1911

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE APPROVING MEMORANDUM OF AGREEMENT FOR ACCUMULATION OF THE GAS TAX ALLOCATION TO CITIES.

Councilman Drale moved that Resolution No. 1911 be adopted. Councilman Powell seconded the motion which was carried by the following roll call vote: AYES: COUNCILMEN: Drale, Haggard, Powell and Sherfey. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: Jackson.

Clerk Bartlett presented for first reading and read in full:

ORDINANCE NO. 405

AN ORDINANCE OF THE CITY OF TORRANCE AMENDING LAND USE ORDINANCE NO. 316 AS AMENDED BY ORDINANCE NO. 371 BY ADDING THE WORD "HEDGE" AND WORDS DESCRIPTIVE THEREOF.

Councilman Haggard moved that Ordinance No. 405 be adopted for first reading. Councilman Powell seconded the motion which was carried by the following roll call vote: AYES: COUNCILMEN: Drale, Haggard, Powell and Sherfey. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: Jackson.

A communication was read from City Administrator Stevens submitting the following recommendations for the Council's consideration and approval:

PERSONNEL:

- (1) That Police Officer Leonard J. Beal, having satisfactorily served his term in the present pay bracket, be advanced to the next higher pay bracket, effective June 21, 1948, and that his compensation be at the rate of \$253.00 per month.

APPROPRIATIONS:

- (1) For the retirement of the debt to the Municipal Water Department, the sum of \$35,000.00.
- (2) For the payment to George Green, the sum of \$1,010.00 due under the terms of the Garbage and Tin Can Collection Contract of 1946-47 and 1947-48, for service to new residences occupied during the term of said contracts.
- (3) For the purchase of five (5) Reflectorized Stop Signs, the sum of \$62.50.
- (4) For Plate Glass Insurance on the City Hall and Auditorium, the sum of \$64.55.

REMOVAL OF TREES:

That permission be granted to remove trees at the following locations, with the provision that the abutting property owners remove and dispose of same at their own expense:

- (1) Columbia Employees Hospitalization Plan, 1921 Border Avenue, one pepper tree.
- (2) George W. Leech, 727 Border Avenue, one pepper tree.
- (3) Nicola P. Gioquinto, 2228 Gramercy Avenue, one pepper tree.
- (4) Fred Wallace, 2010 Arlington Avenue, one pepper tree.

MISCELLANEOUS:

- (1) That the following applications for Taxi Cab Permits be denied in accordance with the recommendation of the Police Chief, for the reason that there is sufficient cab service in the city at present:
 - (a) Daar R. Moore
 - (b) Henry H. Alford
- (2) That the Mayor be authorized to accept additional items not included in the original acceptance of the Lomita Flight Strip from the War Assets Administration, with the understanding that the Skeet Range is accepted as it exists at this time.
- (3) That the City Council establish a policy of allowing a 5% differential to local merchants on purchases below \$1,000.00.

ZONING:

- (1) That the date of hearing for an Appeal of John Mayer on an application for Variance in Block 12, Walteria Tract, be set for July 20, 1948. The petition for Variance was for the removal of diatomaceous earth at the above location.

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- (2) Third and final hearing on the Petition of Luther Mumford for a Change of Zone affecting the westerly 150 ft. of Lots 17 and 32, of Tract No. 3458. Petitioner requests that this property be rezoned from A-1 to C-2.
- (3) Third and final hearing on the proposed rezoning of Lot 1, Block 90, Torrance Tract, and the east 120 ft. of the south-140 ft. of Lot 1, Tract 7873; being the Southeast and North-west corners, respectively, of Torrance Boulevard and Crenshaw Boulevard. This property to be rezoned from R-3 and R-1 to C-1.
- (4) Public hearing on the Vacation of Alley in Block 27-A, Torrance Tract.

BIDS TO BE RECEIVED:

- (1) For the collection and disposal of garbage and non-combustible rubbish for one year, commencing July 1, 1948.
- (2) For gasoline supply for one year, commencing July 1, 1948.

Councilman Drale moved that the Council concur in the recommendations of City Administrator Stevens. Councilman Powell seconded the motion which was carried by the following roll call vote: AYES: COUNCILMEN: Drale, Haggard, Powell and Sherfey. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: Jackson.

Clerk Bartlett presented for first reading and read title to:

ORDINANCE NO. 406

AN ORDINANCE AMENDING ORDINANCE NO. 367; PROVIDING FOR THE REGISTRATION OF BICYCLES IN THE CITY OF TORRANCE AND PROVIDING PENALTY FOR VIOLATION THEREOF.

Councilman Drale moved that further reading of Ordinance No. 406 be dispensed with. Councilman Powell seconded the motion which was carried unanimously.

Councilman Powell moved that Ordinance No. 406 be adopted for first reading. Councilman Drale seconded the motion which was carried by the following roll call vote: AYES: COUNCILMEN: Drale, Haggard, Powell and Sherfey. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: Jackson.

Clerk Bartlett presented for first reading and read title to:

ORDINANCE NO. 407

ORDINANCE GRANTING TO SOUTHERN CALIFORNIA EDISON COMPANY, ITS SUCCESSORS AND ASSIGNS, A FRANCHISE TO CONSTRUCT AND USE, FOR TRANSMITTING AND DISTRIBUTING ELECTRICITY TO THE PUBLIC FOR ANY AND ALL PURPOSES, POLES, WIRES, CONDUITS AND APPURTENANCES, INCLUDING COMMUNICATION CIRCUITS, NECESSARY OR PROPER THEREFOR IN, ALONG, ACROSS, UPON AND UNDER THE PUBLIC STREETS, WAYS, ALLEYS AND PLACES WITHIN THE CITY OF TORRANCE.

Councilman Powell moved that further reading of Ordinance No. 407 be suspended. Councilman Drale seconded the motion which was carried unanimously.

Councilman Haggard moved that Ordinance No. 407 be adopted for first reading. Councilman Drale seconded the motion which was carried by the following roll call vote: AYES: COUNCILMEN: Drale, Haggard, Powell and Sherfey. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: Jackson.

Clerk Bartlett presented for first reading and read title to:

ORDINANCE NO. 408

AN ORDINANCE OF INTENTION TO ORDER THE VACATION OF A PORTION OF NEWTON STREET IN THE CITY OF TORRANCE.

There was some discussion on this vacation, City Administrator Stevens explaining that after the proposed abandonment, Newton Street would be 60 ft. in width.

City Attorney Smith outlined the procedure necessary for ordering the vacation.

Councilman Powell moved that pending ordinances, presented to the former City Council for action be referred to the Council for study before taking final action thereon.

City Attorney Smith explained that the ordinances which he has submitted at this meeting covered zoning and vacation matters which were referred to him by the present Council for attention.

There being a motion before the Council, Mayor Sherfey called for a vote, which was lost for want of a second.

Councilman Drale moved that further reading of Ordinance No. 408 be suspended. Councilman Haggard seconded the motion which was carried unanimously.

Councilman Drale moved that Ordinance No. 408 be adopted for first reading. Councilman Haggard seconded the motion which was carried by the following roll call vote: AYES: COUNCILMEN: Drale, Haggard, Powell and Sherfey. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: Jackson.

Mr. Paul Slonecker declared that this vacation will benefit nobody but the subdividers on either side of the street.

Clerk Bartlett presented for first reading and read title to:

ORDINANCE NO. 409

AN ORDINANCE OF INTENTION TO ORDER THE VACATION OF THAT PORTION OF BEECH AVENUE IN THE CITY OF TORRANCE, SIXTY FEET IN WIDTH, LYING BETWEEN THE SOUTHERLY LINE OF DOMINGUEZ STREET, THIRTY-EIGHT FEET IN WIDTH, AND THE NORTHERLY LINE OF MARICOPA STREET, SIXTY FEET IN WIDTH, WITH CERTAIN EXCEPTIONS; AND ALL THAT PORTION OF MARICOPA STREET, SIXTY FEET IN WIDTH, LYING BETWEEN THE WESTERLY LINE OF ACACIA AVENUE AND THE NORTHEASTERLY LINE OF THE SIXTY FOOT RAILWAY RIGHT OF WAY OF THE SANTA FE AND LOS ANGELES HARBOR RAILWAY COMPANY IN THE CITY OF TORRANCE AND OF THAT EAST AND WEST ALLEY, TWENTY FEET IN WIDTH, LYING NORTHERLY OF BLOCKS 81 AND 87, TORRANCE TRACT, BETWEEN THE WESTERLY LINE OF ACACIA AVENUE, SIXTY FEET IN WIDTH, AND THE EASTERLY LINE OF CRENSHAW BOULEVARD, EIGHTY FEET IN WIDTH, WITH CERTAIN EXCEPTIONS THEREFROM; AND ALL PORTIONS OF THOSE NORTH AND SOUTH ALLEYS, EACH TWENTY FEET IN WIDTH, IN BLOCKS 80, 81 AND 87 OF TORRANCE TRACT, LYING NORTHERLY OF THE NORTHEASTERLY LINE PRODUCED ACROSS SAID ALLEYS OF THE SIXTY FOOT RAILWAY RIGHT OF WAY OF THE SANTA FE AND LOS ANGELES HARBOR RAILWAY COMPANY.

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Councilman Drale moved that further reading of Ordinance No. 409 be dispensed with. Councilman Haggard seconded the motion which was carried unanimously.

Councilman Haggard moved that Ordinance No. 409 be adopted for first reading. Councilman Drale seconded the motion which was carried by the following roll call vote: AYES: COUNCILMEN: Drale, Haggard, Powell and Sherfey. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: Jackson.

Clerk Bartlett presented for first reading and read title to:

ORDINANCE NO. 410

AN ORDINANCE OF INTENTION TO ORDER THE VACATION OF ALL OF THE ALLEY IN BLOCK F, TRACT NO. 10300 LOCATED IN THE CITY OF TORRANCE.

Councilman Drale moved that further reading of Ordinance No. 410 be dispensed with. Councilman Haggard seconded the motion which was carried unanimously.

Councilman Drale moved that Ordinance No. 410 be adopted for first reading. Councilman Powell seconded the motion which was carried by the following roll call vote: AYES: COUNCILMEN: Drale, Haggard, Powell and Sherfey. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: Jackson.

Clerk Bartlett presented for first reading and read title to:

ORDINANCE NO. 411

AN ORDINANCE OF THE CITY OF TORRANCE AMENDING LAND USE ORDINANCE NO. 316, RECLASSIFYING ALL OF AN IRREGULAR STRIP OF LAND 274 FEET, MORE OR LESS, IN WIDTH, AS THE CASE MAY BE, BOUNDED ON THE NORTH BY CALLE MIRAMAR STREET, ON THE EAST BY CAMINO DE LAS COLINAS, CALLE MAYOR AND VIA ANITA STREETS, AS SHOWN ON CENTER LINE SURVEY MAP ON FILE IN THE CITY ENGINEER'S OFFICE, ON THE SOUTH BY THE CITY LIMITS OF THE CITY OF PALOS VERDES, AND ON THE WEST BY HOLLYWOOD PALSO VERDES PARKWAY; FROM AN A-1 (LIGHT AGRICULTURAL) ZONE TO AN R-3 (MULTIPLE-FAMILY RESIDENTIAL) ZONE.

Councilman Powell moved that further reading of Ordinance No. 411 be dispensed with. Councilman Drale seconded the motion which was carried unanimously.

Councilman Powell moved that Ordinance No. 411 be adopted for first reading. Councilman Drale seconded the motion which was carried by the following roll call vote: AYES: COUNCILMEN: Drale, Haggard, Powell and Sherfey. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: Jackson.

Clerk Bartlett presented for first reading and read title to:

ORDINANCE NO. 412

AN ORDINANCE OF THE CITY OF TORRANCE AMENDING LAND USE ORDINANCE NO. 316, RECLASSIFYING ALL OF TRACT NO. 14838 (KNOWN AS KETTLER KNOLLS NO. 2) BOUNDED ON THE WEST BY CABRILLO AVENUE, ON THE NORTH BY SEPULVEDA BOULEVARD, ON THE EAST BY WALNUT AVENUE AND KETTLER ESTATES ON THE SOUTH; FROM AN A-1 (LIGHT AGRICULTURAL) ZONE TO AN R-1 (SINGLE-FAMILY RESIDENTIAL) ZONE.

Councilman Drale moved that further reading of Ordinance No. 412 be suspended. Councilman Powell seconded the motion which was carried unanimously.

Councilman Drale moved that Ordinance No. 412 be adopted for first reading. Councilman Haggard seconded the motion which was carried by the following roll call vote: AYES: COUNCILMEN: Drale, Haggard, Powell and Sherfey. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: Jackson.

Clerk Bartlett presented for first reading and read title to:

ORDINANCE NO. 413

AN ORDINANCE OF THE CITY OF TORRANCE AMENDING LAND USE ORDINANCE NO. 316, RECLASSIFYING ALL OF TRACT NO. 14232, LOCATED AT THE NORTHEAST CORNER OF 174TH STREET AND CRENSHAW BOULEVARD, FROM AN A-1 (LIGHT AGRICULTURAL) ZONE TO THE FOLLOWING USES: LOTS 12 TO 20, INCLUSIVE, BLOCK 8, TO C-1 (RETAIL COMMERCIAL); LOTS 1 TO 11, INCLUSIVE, BLOCK 8, TO R-2 (TWO-FAMILY RESIDENTIAL); AND THE REMAINDER OF THE TRACT TO R-1 (SINGLE-FAMILY RESIDENTIAL).

Councilman Drale moved that further reading of Ordinance No. 413 be dispensed with. Councilman Powell seconded the motion which was carried unanimously.

Councilman Drale moved that Ordinance No. 413 be adopted for first reading. Councilman Haggard seconded the motion which was carried by the following roll call vote: AYES: COUNCILMEN: Drale, Haggard, Powell and Sherfey. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: Jackson.

Clerk Bartlett presented for first reading and read title to:

ORDINANCE NO. 414

AN ORDINANCE OF THE CITY OF TORRANCE AMENDING LAND USE ORDINANCE NO. 316, RECLASSIFYING ALL OF LOTS 1 TO 46, INCLUSIVE, TENTATIVE TRACT NO. 15071; BEING THE FRONTAGE ON PRAIRIE AVENUE AND REDONDO BEACH BOULEVARD, WITH A DEPTH OF 100 FT. EXTENDING APPROXIMATELY 1370 FT. WESTERLY AND 135 FT. SOUTHERLY FROM THE SOUTHWEST CORNER OF PRAIRIE AVENUE AND REDONDO BEACH BOULEVARD, FROM AN A-1 (LIGHT AGRICULTURAL) ZONE TO A C-2 (GENERAL COMMERCIAL) ZONE.

Councilman Haggard moved that further reading of Ordinance No. 414 be dispensed with. Councilman Drale seconded the motion which was carried unanimously.

Councilman Powell moved that Ordinance No. 414 be adopted for first reading. Councilman Drale seconded the motion which was carried by the following roll call vote: AYES: COUNCILMEN: Drale, Haggard, Powell and Sherfey. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: Jackson.

Clerk Bartlett presented for first reading and read title to:

ORDINANCE NO. 415

AN ORDINANCE OF THE CITY OF TORRANCE AMENDING LAND USE ORDINANCE NO. 316, RECLASSIFYING ALL OF LOTS 4 AND 5, BLOCK 8, TRACT NO. 4070 FROM AN R-1 (SINGLE-FAMILY RESIDENTIAL) ZONE TO A C-1 (RETAIL COMMERCIAL) ZONE.

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Councilman Drale moved that further reading of Ordinance No. 415 be suspended. Councilman Haggard seconded the motion which was carried unanimously.

Councilman Drale moved that Ordinance No. 415 be adopted for first reading. Councilman Haggard seconded the motion which was carried by the following roll call vote: AYES: COUNCILMEN: Drale, Haggard, Powell and Sherfey. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: Jackson.

Clerk Bartlett presented for first reading and read title to:

ORDINANCE NO. 416

AN ORDINANCE OF THE CITY OF TORRANCE
AMENDING LAND USE ORDINANCE NO. 316,
RECLASSIFYING ALL OF LOT TWO OF TRACT
NO. 10786 FROM AN R-1 (SINGLE-FAMILY
RESIDENTIAL) TO AN R-3 (MULTIPLE-FAMILY
RESIDENTIAL) ZONE.

Councilman Drale moved that further reading of Ordinance No. 416 be suspended. Councilman Powell seconded the motion which was carried unanimously.

Councilman Drale moved that Ordinance No. 416 be adopted for first reading. Councilman Powell seconded the motion which was carried by the following roll call vote: AYES: COUNCILMEN: Drale, Haggard, Powell and Sherfey. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: Jackson.

City Administrator Stevens stated that in view of the emergency which exists, and to comply with the requirements of the Air Pollution Control which must be met by July 1, 1948, it is his recommendation that Mr. George Green's petition to operate a cut and cover dump at his hog ranch be granted.

There was some discussion on whether it is within the power of the Council to act on this request before it is first submitted to the Planning Commission.

The City Attorney advised that it is within the power of the Council to grant this permit; that this is a serious situation, and if there is any more air pollution the members of the Council are liable to punishment.

Councilman Haggard moved that George M. Green be granted permission to operate a cut and cover dump at his hog ranch.

Councilman Drale seconded the motion which was carried unanimously.

City Attorney Smith presented the Summons and Complaint and Stipulation of Entry of Judgment against the City of Torrance in the air pollution case, which he did not approve as to form.

Councilman Drale moved that the Summons and Complaint and Stipulation of Entry of Judgment be referred to the City Attorney for approval as to form. Councilman Powell seconded the motion which was carried unanimously.

City Attorney Smith presented bond from the Union Oil Company in amount of \$1000.00 to be attached to their bid which will be opened at a meeting to be held July 6, 1948.

City Attorney Smith advised that in discussing with the Real Estate Board the sale of separate units in the Spurlin Court, he was told that a one-twelfth interest has been sold to each tenant and they are all tenants in common, which is a different phase of the situation. He stated that he would discuss the matter further with the Council at a later time.

In reply to a question from Mayor Sherfey regarding the Santa Fe franchise, City Attorney Smith said that he was satisfied that the Santa Fe has no rights even for the duration.

Councilman Drale asked Attorney Smith to explain the matter in more detail for the benefit of the people in the audience who have a personal interest in the case.

City Attorney Smith advised as follows: "I have checked the two ordinances. Ordinance No. 57 is an ordinance giving a franchise to the Santa Fe. It seems there was a failure on the part of the person who drew the ordinance to mention a certain street. Ordinance No. 146 was passed to amend Ordinance No. 57 for that purpose only. Now, Ordinance No. 143 is another ordinance granting a franchise to the Santa Fe. It covers part of the same streets, in my opinion, as Ordinance No. 57. In Ordinance No. 143 there is no time limit set. As it stands now it is perpetual. The framer of Ordinance No. 57 put in the title 21 years but in the body of the ordinance mentioned no time. Our Supreme Court has said the title of an ordinance is not part of the ordinance. The only benefit that may be derived from that is the fact that it was the intention of the City Council at that time to grant a franchise for 21 years, but it does not say so in the body of the ordinance and there is no consideration mentioned. A franchise is a contract and there must be a consideration in every contract, or the contract is void. The Santa Fe paid nothing for these franchises, at least there is nothing that shows this in the ordinances. Then, when the Council held a meeting on August 8, 1944, a motion was made by Mr. Cucci, who was at that time a member of the City Council, to deny the request of the Santa Fe Railway Company for a renewal of their Franchise No. 57, and that the matter be tabled for the duration of the war. I take that to mean the Santa Fe has no franchise even for the duration of the war. The request for renewal was denied. Now, simply because the City Council wanted it tabled does not give the Santa Fe any rights. This is my interpretation of it. They are still operating under Ordinance No. 143. I do not know which ordinance is objectionable to the people. I do not know whether it is the tracks laid under Ordinance No. 57 or Ordinance No. 143. But it seems as if both the City and the Santa Fe treat this matter as having two franchises for the same thing, but Ordinance No. 146 only amends Ordinance No. 57. That is the situation as it stands. An action can be instituted by the City of Torrance if the people so desire, and that action can be instituted by passage of a resolution by the City Council."

Councilman Drale asked what action should be taken at this time to remove the Santa Fe tracks.

City Attorney Smith replied that it is a matter of legal procedure.

Councilman Drale moved that the question of the Santa Fe franchise be referred to the City Attorney and City Administrator for study, and that they submit to the Council, at the June 29th meeting, their recommendations on the proper action to take in this case. Councilman Powell seconded the motion which was carried unanimously.

Councilman Powell moved that the request he received from a representative of the Homeowner Association of Seaside Ranchos, for police action on the traffic hazards existing in that area be referred to the Chief of Police for attention. Councilman Drale seconded the motion which was carried unanimously.

Councilman Powell commented on the fact that the Council would be glad to recognize any constructive criticism either by written or oral communications.

Councilman Haggard asked City Administrator Stevens if he had received any communications from Mr. Murphey, Manager of the Municipal Bus Lines.

Mr. Stevens replied in the negative.

Councilman Haggard then asked when Mr. Murphey's temporary appointment terminated and he became a permanent employee.

Mr. Stevens advised it would be June 30, 1948.

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City Administrator Stevens said that a letter had been prepared to be sent to Mr. Marsteller terminating his contract with the City, but that City Attorney Smith counseled that the best legal procedure is to terminate the contract by resolution.

Clerk Bartlett presented and read title to:

RESOLUTION NO. 1912

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE RELATING TO THE NOTICE OF CANCELLATION AND TERMINATION OF THAT CERTAIN AGREEMENT ENTERED INTO THE FIRST DAY OF SEPTEMBER, 1944, BY AND BETWEEN THE CITY OF TORRANCE, FIRST PARTY, AND CARL E. MARSTELLER, SECOND PARTY; THE METHOD AND MANNER OF NOTIFICATION; AND THE TIME ELEMENT ON WHICH SAID TERMINATION IS TO BECOME EFFECTIVE.

Councilman Haggard moved that Resolution No. 1913 be adopted. Councilman Powell seconded the motion which was carried by the following roll call vote: AYES: COUNCILMEN: Drale, Haggard, Powell and Sherfey. NOES: COUNCILMEN: None. ABSENT: COUNCILMEN: Jackson.

Mayor Sherfey announced that this is the time for the Council to render a decision on the appeal of E. L. Morton, Case No. 116, from the decision of the Planning Commission which disapproved his Petition for Variance, and on which a Public Hearing was held June 8, 1948.

Mayor Sherfey called for oral protests.

There being no protests either written or oral, Councilman Haggard moved that the petition of E. L. Morton for a Variance, which was denied by the Planning Commission, be granted. Councilman Powell seconded the motion which was carried, Councilman Drale voting "No."

Mayor Sherfey moved that the Council immediately appoint an alternate to the Board of the Los Angeles County Sanitation District; that a resolution be prepared to this effect; and that a certified copy thereof be forwarded to the County Sanitation District. Councilman Drale seconded the motion which was carried unanimously.

ORAL COMMUNICATIONS

Mr. Bowers of 2211 Maricopa Place, asked the Council its intention with regard to the Spurlin Court sales.

Upon questioning by City Attorney Smith, Mr. Bowers informed him that he had bought a part of a lot as specified in the application for deed and that he had a copy of this application.

City Attorney Smith explained that the Commissioner of Corporations has this case under investigation, and that a charge has been brought against the agent who sold these 1/12th interests to determine if he has violated the Corporate Security Act.

City Attorney Smith said that if Mr. Bowers will bring in his contract, he will be glad to help him on this problem.

Mr. E. L. Morton thanked the Council for their time spent and courtesies extended in connection with his application for a Variance to construct a Trailer Camp.

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

At 9:45 p.m., upon motion of Councilman Drale, seconded by Councilman Haggard, and unanimously carried, the meeting adjourned to June 29, 1948, at 7:45 p.m.


CITY CLERK OF THE CITY OF TORRANCE

APPROVED:


MAYOR OF THE CITY OF TORRANCE

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