

John S. Todd

Father *of the* City

of L a k e w o o d

A H i s t o r y



Introduction to A History of Lakewood 1949-1954 The John S. Todd Story

John S. Todd's involvement in the civic life of Lakewood and the development of the Lakewood Plan is a record of fifty years of remarkable achievements.

John's perspective is, after all, as the "father of the Lakewood Plan" of municipal contracting that empowered more than forty other communities in Los Angeles County to follow Lakewood's model after 1954.

Throughout his fifty-year career – first as city attorney of Lakewood and later as the city attorney of Pico Rivera – John has been the Lakewood Plan's most effective defender.

Of all those who were present at the creation of the Lakewood Plan of city government, John is the only one to have written at length on the legal and political conflicts from which our city was born.

But John's memoir, which forms the first part of this book, is more than a record of incorporation. John paints a vivid picture of the early Lakewood community and its optimistic young residents at the moment when they took the future into their own hands.

Those residents – working with the flexible, adaptable plan given them by John and the other founders of Lakewood – have made their city a place of dignity, pride, and achievement.

In each decade since the 1950s (as you will read in the second part of this book), city council members and community residents have confronted challenges to their vision of the future. Lakewood prevailed, in large measure because John was always there, offering sage advice, practical experience, and his enormous expertise in municipal law.

Every part of Lakewood and its history has been shaped by John's steady vision of a city that would provide economical local government and responsive public services through contracting. That vision is a powerful one. The innovative ideas that John nurtured in

1954 have given rise to hundreds of other incorporation movements in California and around the nation. They, too, can call John the “father” of their new cities.

John’s achievements in municipal law have spanned the decades. They have been honored by his colleagues in the legal profession. They have earned the praise of county and state leaders. They have been codified and made legal precedent. They will shape California cities for many more decades to come.

But what is John’s legacy to us, who make Lakewood our home?

Hope for the future. A new form of local government. Solutions to the daunting problems of municipal service delivery. An innovative expansion of the democratic process. The preservation of local values. These achievements – and more – are the legacy of John S. Todd, Lakewood’s City Attorney Emeritus, “father of the Lakewood Plan,” champion of local government, a towering figure in California municipal jurisprudence, and enduring “Legend of Lakewood.”

Lakewood City Council

November 18, 2004

Editor’s note: The first part of this book is the story of Lakewood’s founding told in Mr. Todd’s own words. Mr. Todd originally prepared his memoir of Lakewood’s early years in 1969. References to persons and agencies reflect the era of its original composition. In a very few cases, an editor’s note will indicate changes since 1969.

Mr. Todd’s memoir was first prepared for publication with Mr. Todd’s assistance in 1984, on the occasion of the city’s 35th anniversary.

The second part of this book is a biography of Mr. Todd. It is based on interviews with Mr. Todd, members of his family, and Lakewood community leaders.

We gratefully acknowledge their participation and their generous offer of the use of their original photographs and documents.

A History of Lakewood 1949-1954

By City Attorney John S. Todd

I have delayed some time in preparing these comments.

Now on a rainy Saturday morning, a day some are celebrating as Washington's Birthday, I find, after several hours of pulling files spread through my offices, numerous files of the record of my residency and professional life in the City of Lakewood from 1949 to April 1954. I prefer to write only about those events that occurred to my personal knowledge. Everything contained in this report is supported by documentary or other evidence I have in my files or has been actually observed to have happened within my vision or hearing.

I therefore will not report about events that occurred in this area before the fall of 1949 when I first came to Lakewood. In addition, I will write here only of those matters that occurred during Lakewood's early days from October of 1949 through the incorporation of the City of Lakewood in 1954.

Events thereafter should be well recorded in the various files and records in the office of the City Clerk.



"Tomorrow's city" was the optimistic boast of Lakewood's builders in the early 1950s, reflected in the eagerness with which Lakewood residents accepted the task of community building. They were young and full hope and ready, like John S. Todd, to make their dreams of a better tomorrow come true.

The early days

In the fall of 1949, I opened an office to practice law on the second floor of a building facing a sleepy village street known as Los Cerritos Diagonal.

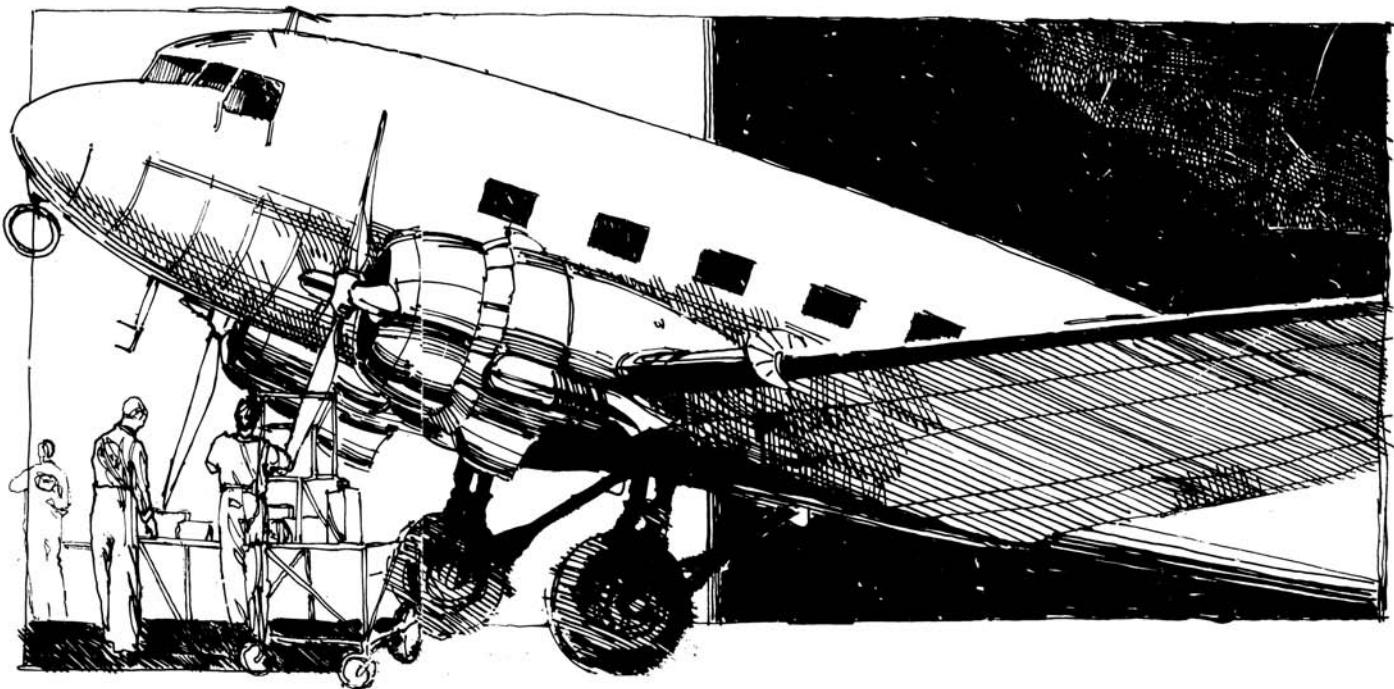
There was only one other attorney in town. This was Lakewood Village in 1949. Los Cerritos Diagonal is now known as Norse Way.

Los Cerritos Diagonal in those days was a picturesque street lined with trees growing out of wells in the sidewalk. The Diagonal was marked primarily by People's Bank located in the center of the business section and Lakewood Theater at the end of the street. Immediately adjacent to Lakewood Village was Long Beach City College; to the north of Lakewood Village was a small residential section marked by many large estate-type homes; to the south was the Douglas Aircraft Plant; to the west were bean fields and beyond that the Lakewood Golf Course. At the northerly end of the Village was a ditch, which would now be in the vicinity of Del Amo Boulevard; north of the ditch was farmland or

bean fields until one reached a small residential section known as Mayfair and Lakewood Gardens. The Village's easterly limit was what would now be Woodruff Avenue and to the east of that was farmland.

My Wife, Frances, and I bought our first home near the corner of Ocana and Harvey Way. I could look north from my front lawn and see only farmland and beyond that the out buildings and sheds of the Montana Land Company. Some of these buildings still exist and consist of the City of Lakewood Water Yard. Sometimes during the day and usually when the air was heavy with moisture or fog the pungent odor of the hog farms and dairies to the east permeated the air.

The area in which we lived was known as the Lakewood City North Tract. It was developed in 1942 by the real estate firm of Legg, Griffith and Walker. Herb Legg of that firm, who later became Supervisor of the First Supervisorial District, used to reminisce about the time in 1942 when this area was supposedly invaded by hostile aircraft and the night was punctured with the sound and flashes of anti-aircraft shells. Early Sunday morning, the Messrs. Legg, Griffith, and Walker were busy removing from the front lawns of the new homes they were offering for sale shell fragments and other evidence of the nocturnal shoot-out.



The Douglas Aircraft Company, from the 1940s on, was the region's biggest employer.

These were the days of starvation, as for any young attorney opening his own office. In order to supplement our income and to make expenses, my wife Frances served as my secretary and also opened her own office as a public stenographer, which of course was located in the same office space that I occupied.

Since the legal business wasn't exactly booming, we soon found ourselves involved in civic affairs.

Although Lakewood Village was near the City of Long Beach, it was in fact a small town. The interests were strictly local. The Lions Club was a strong and active local club with local interest. In addition, the

businessmen had their own group that was very strong locally and was somewhat of a social outlet. As a result, we soon found ourselves engaged in the civic and business affairs of the Lakewood Village Business Association. The officers of the Association were Mrs. John Todd, Secretary; Bill Morris, Treasurer; Judge Roberta Butzbach, Guest of Honor; Vera Scott, Director; Tommy Thompson, first Vice President; John Todd, third Vice President; Carl Young, President; King Beardsley, past President; Director H. Neal Tuttle and Charles E. Wright, Master of Ceremonies.

Lakewood Taxpayers' Association

The Lakewood Taxpayers' Association had a more profound effect on my career and in my opinion played an influential role in the history of Lakewood.

We had barely opened our office in the fall of 1949 when a local barber invited us to attend a meeting of an association known as the Lakewood Taxpayers' Association. We soon learned that this association was the only active Lakewood civic group in 1949 and in the early days of 1950. L. R. (Bud) Jones was the Managing Director. In the early days of 1949 and early 50's, the association consisted of property owners in the old Lakewood Village area. These people had a strong feeling that Lakewood Village should remain unincorporated. They professed some fear of the city of Long Beach but expressed a much greater fear of incorporation of the area as the city of Lakewood. To even mention or suggest the same was worse than slurring motherhood.

In fact, we had only attended one meeting of the Association when we received a personal visit from Major Ellsworth, a Lakewood Village resident, who informed us that he was the originator of the Lakewood Taxpayers' Association. Major Ellsworth told us a long story about the Lakewood Utility District that was Lakewood Village's first experience in local self-government. As I recall, the Lakewood Utility or Public Utility District, as he related it, supplied some municipal services to the Lakewood Village area. Major Ellsworth claimed that this experience in local self government was a total failure and that he led the forces resulting in the dissolution of the public utility district sometime prior to our coming on to the Lakewood scene in 1949.

I have found in my files a report from Bud Jones dated February 7, 1950, outlining the projects undertaken by the Lakewood Taxpayers' Association during the year 1949. Many of the projects therein outlined were not completed until many years later such as streetlights for Lakewood Village and the gunniting and fencing of Heather Ditch. In fact, it took a Storm Drain Bond Issue in 1954 to complete the latter.

In 1949, the Lakewood Taxpayers' Association was a small organization comprised primarily of Lakewood

"Ma's Day Out" was John Todd's first project as manager of the Lakewood Taxpayers' Association. It's success helped build a sense of community for the residents of a changing Lakewood.



Village residents. However, as set forth in Bud Jones report of February 7, 1950, the Lakewood Taxpayers' Association took on as a new project the abatement of the nuisance caused by the hog farm odors. By the time I had attended my second meeting of the Lakewood Taxpayers' Association, its membership ranks had increased to almost 200 members, each of whom had paid \$1 for membership in this organization. The Lakewood Taxpayers' Association had suddenly become a power.

So it was on February 1, 1950, as a young attorney I attended my first meeting of a Planning Commission, appearing with the various members of the Lakewood Taxpayers' Association, before the Regional Planning Commission on a hearing to abate the hog farms as a nuisance. Ed Walker, who was then an employee for the Southeast Park and Recreation District and who later became Director of Parks and Recreation for the County of Riverside, was our spokesman. Ed presented pictures and testimony of the nuisance caused by the hog farms. At this hearing, approximately 150 Lakewood

residents attended. I became somewhat disturbed by what I felt was unfair treatment being afforded by the Regional Planning Commission to our representatives. Being a young and foolish attorney, and not knowing any better, I spoke up and told the Chairman what I thought. Suddenly I found myself appointed by the Chairman as representative for the Lakewood group with full power to cross-examine all witnesses, etc. Afterwards many of the people in attendance personally thanked me for "helping the people of Lakewood." I too now belong to Lakewood.

The Lakewood Taxpayers' Association succeeded in obtaining an order for the ultimate removal of the hog farms from the Lakewood area. In 1949 and 1950, one of my best friends of those days, John Pares, also became active in the Association. He was an attorney who started practicing law at the same time I did although his office was in the City of Long Beach. Because of my activities and his activities, at the election of officers in 1950 I was elected Managing Director of the Lakewood Taxpayers' Association and John Pares Vice President. The other officers were Admiral George J. McMillin, who was

President; Alton Parker, Secretary; and Robert Bollinger, Treasurer.

George McMillin was a most interesting person. He had been Governor or in a high position for the United States Navy on Guam at the time of its invasion by the Japanese and had been taken prisoner spending the remainder of the war in Japanese prison camps. After the war and following his discharge from the United States Navy, Admiral McMillin took up residence in Lakewood Village. With a little coaxing, Admiral McMillin agreed to become President of our Association. (Later he was to be appointed Postmaster of the Long Beach Post Office.)

Around that time, a new figure appeared in the Lakewood Taxpayers' Associated. He was George Schnurle who had purchased a home in the Lakewood City tract in which I lived. George Schnurle was a very effective and personable type of person who had been in the business of manufacturing roulette wheels. George was dynamic and had many ideas including "Ma's Day Out."

"Ma's Day Out" was one of my first projects as manager of the Taxpayers' Association. The program was to give "Ma" a day out. A Sunday was selected and tickets were sold to all the activities at Pan American Park where "Ma" would be entertained, dinner served by Chuck Wagon and games for children of all ages. The games included an old-fashioned watermelon eating contest, catching a greased pig, freckle counting contest, etc.

In 1951, the presidency of the association passed to Alton Parker. I continued as Managing Director. Other officers elected that year were Capt. Charles M. Garrison, U.S. Navy, retired, Vice President; Clark Searle, Executive Secretary; and Mrs. Louis Becker recording secretary.

During this period, the officers of the Lakewood Taxpayers' Association received a personal invitation to have dinner with Louis Boyar at the Lakewood Country Club. At this dinner meeting, we asked him why he wanted to meet with us. He told us very frankly that he had checked with the Board of Supervisors and other County people and had been advised that the only representative association or group of Lakewood was the Lakewood Taxpayers' Association. He stated he therefore wanted to meet with us to tell us of his plans for Lakewood.

I was very proud of the Lakewood Taxpayers' Association. We had a strong working group. Captain Garrison was always available to go into Los Angeles or to take care of any matter that I could not cover. Clark Searle, our Executive Secretary, was a storehouse of information and a tremendous hard worker. Alton Parker, also a former Naval man, would spend all of his spare time in the activities of the Taxpayers' Association. Others active in the association in those days were Clarence Smickel, Bud Jones, John Pares, Charlie Adams, Bob Bollinger, Bob Fowler, Glen Gustine, Commander Clarence Fogg, Adam Sofalko, and many others.

Lakewood Park Recreation and Parkway District

If Lakewood had a landmark or an outstanding feature, it was the Lakewood Golf Course and Country Club.

This was the center out of which Lakewood grew. The golf course was created in 1933 by the Montana Land Company. Across the street from the clubhouse and golf course was the Lakewood Water Company office. These facilities still exist on Clubhouse Drive within the City of Lakewood. The old Water Company office is now a lawyer's office. [Editor's note: The office was demolished in 2001.]

The city of Long Beach early on had designs on the Lakewood area. In July of 1951 a rumor arose that the city of Long Beach had adopted a master plan of parks, commencing at the ocean and continuing up the San Gabriel River channel to Carson Street, then along Carson Street in the so called "shotgun strip" now known as Heartwell Park. Included also in this maze would be the Lakewood Golf Course as a Long Beach recreational facility. This proposal apparently arose out of a rumor

that Louis Boyar, one of the developers of Lakewood, was planning to subdivide the golf course. This rumor was hotly denied by J. K. Eichenbaum in a Lakewood News Times article of July 12, 1951.

In 1952, the Lakewood Country Club was again threatened. A member of the Board of Supervisors proposed an ordinance to prohibit the sale of alcoholic beverages on county golf courses as well as other county parks or camps. A study disclosed that the golf course could not be financially operated without the sale of alcoholic beverages.

In 1952, I appeared before the Board of Supervisors and argued against the county ordinance.

Herb Legg, our representative on the Board of Supervisors, supported our position. The battle before the board was deep and bitter. Supervisor Darby was equally as strongly opposed. Prohibitionists and other groups were coming into the battle.

If the sale of liquor was prohibited at the Country Club, the golf course was virtually doomed and its subdivision was inevitable.

A meeting was called by George Turner, Supervisor Legg's Deputy, at the Country Club. Present were myself, Lee Hollopeter, Ed Walker, and Arvo Van Alystyne of the

Nitriini, manager of the May Company and representative of the Lakewood business people, and Don Nelson, a vice president of People's Bank and representative of the Chamber of Commerce.

In August 1952, the following article appeared in the Long Beach Reporter: *"Lakewood Chamber of Commerce Directors have reversed their previous stand and have requested extension of the Lakewood Park Recreation and Parkway District to encompass all of Lakewood, according to attorney John Todd, Chamber Parkway Committee Chairman. Proposed additions would expand the district to more than four times its present size.*

"The Lakewood Taxpayers' Association initiated the proposal in a resolution approved last month.

"Operation of the district was explained to the Chamber Board at a meeting at the Lakewood Country Club by Ed Walker. He pointed out that the district has grown through annexations from an area with an assessed valuation of one million dollars when it was founded in 1948 to one of eight million five hundred thousand dollars valuation. The function of the district is to maintain and beautify fifteen miles of parkway panels. This year's tax rate is 73 cents per \$100 assessed valuation, amounting to \$10 per year for the average home.

"Present district boundaries encompass all Lakewood residences between Parkcrest Street and Spring Street, except those in an area bounded by

Parkcrest Street, Bellflower Boulevard, Conant, and Clark Avenue."

Ed Walker succeeded in having all of Lakewood annexed to the Lakewood Park Recreation and Parkway District. The Board of Supervisors then set March 3, 1953, as the time for a consolidated special election on the question of whether or not the district should be governed by its own Board of Directors (rather than the Board of Supervisors) and in addition in the election of a Board of Directors. Among those candidates were Gene Nebeker, Don Nelson, Ken Phillips (who was active in the VFW) John Todd, and Charles E. Wright. These five candidates decided to run as a slate.

This was Lakewood's first election battle. The contest became hot and heavy. Two groups developed. One group, such as the slate of Nebeker, Nelson, Phillips, Todd, and Wright supported the proposition of expansion and development of the Lakewood Park, Recreation and Parkway District in order to maintain the Lakewood area and ultimately prevent loss of the golf course. Another group comprised of such local leaders as Attorney Robert Devitt and Ruth Bach was devoted to the proposition of obtaining a majority on the Board of Directors so that the district could be dissolved as the first step toward ultimate annexation of all of the Lakewood area by the City of Long Beach.

On March 3, 1953, the voters of the district determined by 1,920 votes that the district should be self-governing and have its own Board of Directors and

elected to the first Board of Directors were District Ruth H. Bach; Donald W. Nelson, Robert W. Devitt, Charles W. Wright, and John S. Todd.

The Lakewood Enterprise edition of March 5, 1953 reported this event. The front page of this paper also reflected the stormy times that then existed in Lakewood. Across the page were editorials and articles pertaining to the fight of the people of Lakewood against annexation to Long Beach. This was the atmosphere in which Lakewood's first real self-governing experiment came to life. Many of us who were concerned about the possibility or feasibility of Lakewood's ultimate incorporation probably failed to see the trend of the wind then in the air.

Ironically, after the creation of the Lakewood Park, Recreation and Parkway District, the necessity of taking over the Lakewood Country Club golf course never developed. Fate itself resolved that matter by the untimely death of a member of the Board of Supervisors resulting in a switch of power and a rescission of the county's previous stand prohibiting the sale of alcoholic beverages.

I was pleased to have been elected the first President of the Lakewood Park, Recreation and Parkway District. We soon succeeded in having Ed Walker serve as full-time salaried Manager of the District. His brilliance and leadership resulted in a very successful operation. Ed Walker continued as Manager of the District until several years after the incorporation of the City of Lakewood when eventually he resigned and

shortly thereafter, the district was dissolved. Ed rounded out his career as Director of Parks and Recreation of Riverside County.

With the district, we inherited some of our existing Lakewood employees including Jack Huntsinger and Dave Mills. [Editor's Note: Both have since retired from city service.]

During the time I served on the Board of Directors of the Lakewood Park Recreation and Parkway District, we succeeded in having most of the parkway panels in the Lakewood area developed with sprinklers, grass, and trees. In addition, we developed a Tot Lot program consisting of recreational facilities on various Water department water sites. This proposal had been made by Lee Hollopeter, and was so successful that Lee Hollopeter had a motion picture film made of the use of the water well sites.

Although it would have been thought that there would be animosity on the original Board because of the divergent views between the Bach-Devitt group and Todd-Nelson-Wright group such animosity never developed. The organization was Lakewood's first self-government.

Later, as various areas of Lakewood were annexed to Long Beach, membership on the Board was changed by the replacement of Ruth Bach and Bob Devitt with Frances Veeder and Dave Barkin, and eventually, by my resignation, with Jackie Rynerson.

The Budd Wentz Plan

In July of 1951, the City of Long Beach released a 130-page document with exhibits and supporting data entitled “An Analysis of the Advisability of Annexing All or Part of the Lakewood Area to the City of Long Beach.”



John S. Todd was Lakewood's defender when the County Board of Supervisors considered the annexation of the new community to Long Beach.

This plan was written by John Budd Wentz, Administrative Assistant to the city manager of the City of Long Beach.

The plan supposedly studied the feasibility of the Lakewood area remaining unincorporated, being incorporated, or annexing to the City of Long Beach, and concluded that economically, socially and geographically the Lakewood area belonged to Long Beach and should be annexed to Long Beach. Mr. Wentz stated on page 134 of his report the following: *“All of Lakewood will eventually annex* (his emphasis) because of the undeniable general truth of the foregoing conclusions, it being predicted that eventually all of the Lakewood area will annex to Long Beach. Because of the present lack of unity of thinking, this may be a piecemeal development, but once the process is commenced, it will probably snowball fairly rapidly.”

Budd Wentz contained within his report maps and diagrams suggesting the step-by-step, piecemeal annexation of Lakewood. He advocated dividing the Lakewood area into small individual increments, trying to obtain a sympathetic majority in each increment and proceeding to elections almost on a daily or day-by-day basis. By this method, the opposition would be divided; it would be difficult to oppose day-by-day elections and

annexation to Long Beach was certain, he reasoned.

But they underestimated the people of Lakewood. They fought, and how they fought. Their success under such odds was overwhelming.

Generally speaking, most of the annexation south of Carson succeeded except a large area north of Wardlow Road and south of Carson Street. This area later became the proposed city of South Lakewood. North of Carson Street, most of the annexation failed except for the old Lakewood Village area where we had always felt existed the real strong die-hards against annexation. The election in Lakewood Village however was close: those in favor of annexation only winning by some eighty votes.

At first, the proponents of annexation were strong. They appeared to be well heeled with literature and other propaganda. An example of that propaganda is a brochure entitled "Why four hundred of your neighbors voted for annexation to Long Beach."

In the meantime, the Lakewood Taxpayers' Association was being torn apart by an almost equal division in its ranks in favor of, or opposed to, annexation. The opponents to annexation needed organization and financial support.

Active in those early days fighting annexation was Gene Nebeker as well as many other members of Lakewood Junior Chamber of Commerce. However, one of the most outspoken persons, strongest protesters, and a great source of information was Lee Hollopeter, Manager of the Lakewood Water Company.

Lee Hollopeter was one of the most remarkable persons I've ever known. Lee came with the old Montana Land Company and was one of the first residents in Lakewood Village. Lee used to tell about the early days, prior to the time that Lakewood Village was subdivided, when the Montana Land Company and the Union Development Company of Thornton Ibbetson's father had boundary battles. In those days in an evening, it was standard sport to go out into the field and move a big rock, which stood as a boundary between the vast holdings of the Montana Land Company and the Union Development Company. Engineers and surveyors of course now have established where those boundaries are by use of instrument and measurement, but if any of those boundaries are based upon that rock; no one can be sure of their exactness.

Lee and I found that we had something in common. We were both opposed to annexation of Long Beach. We believed in preservation of the area as unincorporated territory. We found that our talents were mutually reciprocal and we could work well together as a team. From that time on until the incorporation of the City of Lakewood, we did work as a team.

Also into this area at that time came another person, who had a very striking influence on the development of Lakewood. He was Don Rochlen, again one of the amazing persons I have known. Don Rochlen was hired by Ben Weingart, one of the developers of Lakewood and an officer of the Lakewood Park Corporation. Don's

Lakewood in the early 1950s was radically different from other, older communities. It was a planned community, built to Federal Housing Administration standards and as modern as its developers could make it. And it was an affordable community, which enabled tens of thousands of workingmen and their families to become homeowners for the first time.

LAKEWOOD
THE FUTURE CITY AS NEW AS TOMORROW

PLAN 27

PLAN 28

PLAN 29

PLAN 30

LAKEWOOD will provide 17,150 families with a new made of modern living ideal for the man who works, lives, learns and plays. Businesses, shopping centers, churches, schools, colleges and recreation of all types are now in existence and many more will be created to serve this amazing area. Lakewood is located near to the great industrial and business areas of Long Beach, yet far enough away to give you greatest opportunity to enjoy this wonderful growing city without crowding your family. The first unit of houses in the Lakewood area is now being offered in a wide variety of styles, sizes, colors and 7 basic floor plans, each fully built from the ground up for maximum comfort and your pride of home ownership.

ANOTHER ASTRA-BUILT COMMUNITY OF FINE HOMES

job was to promote the Lakewood Park development.

I'm reminded of one of Don's early experiences with the City of Long Beach. He had just been hired by Ben Weingart and shown all of the tremendous ideas and plans for the development of Lakewood with a large shopping center and thousands of homes. He decided it would be a good idea to go down to the Long Beach City Council and tell the "city fathers" there of the great development that was in store for them in the Lakewood area to their north. After he had explained the plan in great detail and that thousands of homes would be built in the Lakewood area, one of the Long Beach councilmen looked at Don and said: "Young man, who are you going to sell all of those houses to, the gophers?"

The question took Don by surprise. He had never thought about to whom they were going to sell all those homes. He worried all the way back to his office in Beverly Hills, but I am sure that Ben Weingart, Mark Taper, Lou Boyar, and Joe Eichenbaum didn't worry. They knew and they had the foresight. They built a city and at the same time made millions of dollars for themselves.

Things however were beginning to shape up. Meetings were called, either under the auspices of the Lakewood Junior Chamber of Commerce or other groups, and the leaders began to appear. They were, including myself, Gene Nebeker, Bill Burns, Clarence Smickel, Bob Baker, L. R. Bud Jones, Angelo Iacoboni, Bob Bark, and many others.

In addition, during this period, Guy Halferty came into the picture. I am not too certain when, exactly, he came into the picture, because I was not early associated with him. However at one of these meetings I did meet Guy and thereafter frequently I would see him working with Gene Nebeker at the corner lunch stand across the street from Gene's office and just down the block from mine.

We decided to form an organization as a guiding light of the annexation battle. I therefore prepared and filed with the Secretary of State the Articles of Incorporation for the Lakewood Civic Council Inc. These were filed with the Secretary of State on May 29, 1953. The articles of Incorporation were executed by Leonard R. (Bud) Jones, Paul D. Drager, Malcolm Gerstein, Irene Gifford, George R. Muir, and Norma Spear who were elected President, First Vice President, Second Vice President, Executive Director, Secretary-Treasurer, and Recording Secretary respectively.

Active in this organization in addition to Gene Nebeker, Don Rochlen, and Guy Halferty were Bill Burns, Jackie Rynerson, Frances Veeder, Ed Walker, Jim Knox, and many others.

In the meantime, I had been invited to attend weekly and bi-weekly meetings of a group of businessmen who were opposed to the annexation of Lakewood to Long Beach. I eventually became the legal advisor to this group and served them in the capacity of attorney. I am therefore not privileged to disclose the membership of



John S. Todd, standing right, worked with other young men in 1953 to stall Long Beach's annexation plans.

this group. However, the purpose of the group was to outline all strategy in respect to resisting annexation and to derive funds necessary to fight annexation. The battle became very costly. Much literature had to be distributed; the literature had to be prepared by professionals, printed, and mailed. There were many other expenses including legal expenses. Our goal was not only to obtain a maximum of coverage and mail out literature to local residents, but also to debate the issues thoroughly at all available public forums. I found myself therefore debating the issues of annexation, as opposed to remaining unincorporated, with such people as Long Beach City Manager Sam Vickers and with Art Will, Jr., who was formerly an assistant to Vickers and later Chief Administrative Officer of Los Angeles County. Others in the Lakewood Speakers Bureau active at that time were Ted Sullivan, Clarence Smickel, Charles Turner, Ed Walker, Ross Bigelow, John Todd, Doug Gifford, and Gene Nebeker.

Foth vs. Long Beach

By December of 1952, the greater Lakewood area had gone from beanstalks to a city of a hundred and three thousand.

The Los Angeles Examiner of December 1952 printed an article showing the fabulous development of Lakewood in three years from a population of some fifteen thousand to one hundred and three thousand.

The lines had been drawn for the piecemeal annexation of all this area to Long Beach. Don Rochlen came to me and requested that I find means of stopping this day-by-day piecemeal annexation because it would be, in his opinion, impossible to fight annexation on a day-by-day basis. I researched the Government Code and concluded that petitions should be prepared and circulated among the property owners in each annexation increment for the purpose of obtaining a majority protest. If such a majority protest could be obtained in each increment, the annexation election could not be called. By this method, the day-by-day election contest would be avoided.

But as Rochlen pointed out, obtaining signatures by 50 percent of the property owners would be a difficult task and therefore some time would be necessary not only to procure the names of the property owners but prepare petitions, set up an organization and have the petitions circulated so that they could be filed at the time of the protest hearing before the Long Beach City Council.

I then researched the law and concluded that anytime after the proponents had published the Notice of Intention to circulate annexation petitions, the protest petitions could be circulated. This would then mean that the protestors would have ample time to circulate the petitions in that the proponents circulating the annexation petitions would have to wait under State Law some twenty-one days after the publication before they could circulate their petitions.

As previously mentioned, about this time I was retained by the committee of businessmen fighting annexation. We then commenced preparation of the formal protest petitions, directions to the owners on execution of the petitions, the formulation of committees to circulate the petitions, and establishing a procedure for the fighting of annexation.

My neck was out on a limb. Thousands of dollars were being invested in a system of protest that had not been proven in court. Hundreds of Lakewood citizens were relying on this system. Many, many people were circulating these petitions, everything depending upon the validity of my opinion that these petitions could be circulated prior to the time that the proponents of annexation could circulate their annexation petitions.

In the City of Long Beach, the City Attorney and other legal advisors concluded that I was wrong and that our protest petitions were invalid in that they were circulated prior to the time they circulated the annexation petitions. The matter was to come to a head and it did in that case of Juanita Foth vs. the City of Long Beach, 125 Cal. App. 2nd 520, 270 Pacific 2nd 868.

At the time of the hearing of protests on annexation increment 110, which was a large increment south of Carson and north of Wardlow Road, the City Council of the City of Long Beach, on the advice of the City Attorney, held that our protests were invalid in that they were circulated prior to the time the annexation petitions were circulated. In addition, the City Engineer of the City of Long Beach disregarded many names on the protest petitions on the basis that they were different from those appearing on the assessment roll, or the signature of one joint tenant when the signatures of both joint tenants were not provided. At this hearing, I argued that our protests were valid and in addition, we had evidence available to show that the people who signed

the protest were in fact the same persons appearing on the assessment roll. In addition, the City of Long Beach, at the protest hearing, contended that many of the protestors had withdrawn their protests. We offered to file with the City of Long Beach evidence that the people who had withdrawn their protests had, in turn, again withdrawn their withdrawal. In order to present our material, it was necessary that we be given an opportunity to review the petitions.

The City of Long Beach finally allowed us a short period of an hour or so to review the petitions. This was insufficient time and we so advised the Long Beach City Council. At the end of the proceedings, the City Council determined that a majority protest had not been filed for the reasons aforementioned, and proceeded with the adoption of an ordinance setting an election in the increment. Because the time schedule for the piecemeal annexation would be disrupted by further delay, the Long Beach City Council decided to have a second reading of the ordinance at one minute after midnight. Midnight was selected because the Long Beach Councilmen were planning to go on a fishing trip, and would not be there the next day for a second reading of the ordinance.

In August of 1953, the voters in the area voted in favor of annexation by an affirmative vote of 129 votes.

In the meantime, a new alliance had developed. I found Angelo Iacoboni, a local attorney, a great supporter and aid in this and many other lawsuits involving the annexation battle. Angelo also was strongly opposed



to the annexation of Lakewood to Long Beach. He favored ultimate incorporation. As a team, I would prepare the legal pleadings, legal arguments and make the legal arguments in court and Angelo would present the evidence and be the trial lawyer. Our success was fabulous.

On August 7, 1953, Judge Frank Swain, presiding in Department 34 of the Superior Court, rendered a decision that had a more profound effect upon my legal practice than any other decision. Judge Swain held that our protests were valid and that the City of Long Beach had invalidly refused to consider our protest, failed to give us a fair hearing, and that the annexation of Increment 110 was void.

Our procedure therefore was valid. Everything I had gambled on had succeeded.

The same procedure was used in countless annexation proceedings with the same story being enacted time after time. Prior to the annexation election, we would go to court and obtain an order in Judge Swain's department invalidating the Long Beach election. As a matter of fact, it got to the point where we were

Lakewood may have been "the city as new as tomorrow," but it wasn't a city at all in 1953. As unincorporated county territory, Lakewood faced an uncertain future.

invalidating elections that probably really had been validly held by the City of Long Beach. We just couldn't seem to lose.

Of course, in many cases, the voters turned down annexation to Long Beach. And this was generally true as to the annexation elections north of Carson, except for that involving Lakewood Village.

The City of Long Beach appealed Foth vs. City of Long Beach, and in my brief I pointed out to the appellate court that the City Council of the City of Long Beach was apparently more interested in going on a fishing trip than giving us a hearing. The appellate court in sustaining Judge Swain, and in holding the annexation invalid, held that the protest petitions could be circulated at any time after notice had been given that an annexation was pending. The court also held that the Long Beach City Council had failed to give us a fair hearing stating: "We are of the opinion that the actions of the Council was in flagrant disregard for the rights of the protestants. Some members of the Council appeared to have been more interested in getting away on a fishing trip than in giving the protestants a fair hearing."

Lakewood and South Lakewood

The 1920's and 30's was an era of expanding cities.

During this period, the growing City of Los Angeles expanded and sprawled in all directions by numerous annexations. The City of Long Beach became concerned with the spread of the City of Los Angeles and in 1926 commenced the annexation of various strips of land around the farmland and bean fields of the Montana Land Company. This resulted in what became known as the "shoe string strips." The shoe string strips were strips of incorporated territory of the City of Long Beach approximately 100 feet wide running northerly from the City of Long Beach along the San Gabriel Channel to a point just north of Ashworth Street and then westerly to the city boundaries of the City of Long Beach. In the middle of the shoestring strip was a strip of land also incorporated territory to the City of Long Beach, located south of Carson Street, and shaped like a shotgun. This strip of land terminated at Lakewood Boulevard and is now known as Heartwell Park.

During the days of the reign and power of the Lakewood Taxpayers' Association, the threat of annexation to Long Beach was ever present. While I

was Managing Director of the Lakewood Taxpayers' Association we therefore decided it would be wise to make a study concerning the feasibility of either remaining unincorporated, annexing to Long Beach or incorporating as the City of Lakewood. A committee was appointed for this purpose chaired by Clarence Smickel. Also serving on that committee were Captain Garrison, Clark Searle and John Pares.

In July of 1951, the written report and findings of the committee were issued and mailed to each member of the Lakewood Taxpayers' Association.

On chart three of the report was a diagram of the proposed City of Lakewood which would have been marked by the Ashworth strip at the north, the San Gabriel River on the east, and the Wardlow on the south. In the middle is the shotgun strip.

The report of the Lakewood Taxpayers' Association was inconclusive. However it did seem to favor annexation. The report was the first honest and sincere study made by any Lakewood group on the future of Lakewood. The Press Telegram by editorial of August 1951, stated the following: "*LAKEWOOD FACT FINDING PROJECT COMMUNITY SERVICE AT ITS BEST. These private citizens have done a job comparable to that*



At the heart of Lakewood was a new shopping center (shown under construction in 1951). Its builders feared its annexation to Long Beach.

which might be expected from a competent research bureau . . . The report to the Taxpayers' Association shows every evidence of an effort to portray the truth . . . The committee did not set out to prove a preconceived conclusion. It went after the facts . . . This project is an unusual example of intelligent community service by a volunteer organization."

On Friday, June 20, 1952, the Los Angeles Times Mirror carried the following article with the caption: "LAKWOOD CRISIS." The article commenced with the following statement: "On February 28, 1952, about 10 p.m., the tide of the battle for political control

of Lakewood may have turned. Until then, the new community expected to become the states ninth largest within the next few months, had been regarded by many as a future part of Long Beach. An area of about 25 square miles, created principally by real estate developers in five short years, it had then a population of 75,000, but was surrounded or bisected by thin strips of Long Beach City property, outriders of municipality flung down as far back as 1920.

"Moreover; many residents of the new community made their living in Long Beach, or had just moved from there, and for several months a general sentiment of grouping toward permanent attachment to the City had been felt in Lakewood.

"By February 28, 1952, about 8 p.m., this sentiment had progressed so far as a cautious resolution now before the Lakewood Taxpayers' Association. It would have authorized the Association to ask Long Beach, 'What benefits Lakewood would receive from amalgamation.'

"Mild as it was, it touched a sensitive spot in community pride and resulted in a two-hour debate. At the end, by a vote of 49 to 39, the Association turned it down. Since those few minutes when the ten decisive votes were cast, Lakewood has given increasing signs of continuing county territory."

In those days, Lakewood was not only feeling pressure from Long Beach to annex but was also being subjected to the charge that as county unincorporated



The Lakewood golf course and clubhouse were part of annexation plans.

territory it was getting a free ride. The Mirror article in commenting on this, went on to state: "They (Lakewood Taxpayers' Association and Lakewood Chamber of Commerce) are also quick to defend the County Board of Supervisors against charges of supplying unincorporated areas with urban services out of a general fund supported 80% by taxes collected in the 45 cities of Los Angeles County.

"The only thing we get that cities contribute to is police protection from the Sheriff's office, says John Todd, past Managing Director of the Tax Payers' Association, 32 year old attorney.

"Todd and others maintained special taxes now levied in county areas enabled them to pay 100% of their fire protection and other costs by district and that

Lakewood should avail itself of this system until it has reached its full growth."

However, the city officials in Long Beach continued to issue great majestic plans for the development of Lakewood and Long Beach. One was a proposal to expend \$10,000,000 for the acquisition of parks, starting with the ocean and proceeding up the San Gabriel River and then westerly through the shotgun strip to the Lakewood Country Club. The proposal did not seem to influence Lakewood residents, but it did have a profound effect on George Turner, Chief Deputy to County Supervisor Herbert Legg, of the First Supervisorial District.

When William Smith was supervisor for the First District, land had been acquired on Bellflower Boulevard for the construction of a new municipal court. The courthouse at that time was located on Cherry Avenue halfway up the top of Signal Hill. It was known as "The Signal Hill Justice Court."

With the tremendous growth of Lakewood and the surrounding area, it was necessary to consider the creation of a Municipal Court and the acquisition of land for a Municipal Court Building. Supervisor Smith and the County then procured land on Bellflower Boulevard and Centralia for the construction of a courthouse. However, in the ensuing election for Board of Supervisors, Supervisor Smith was vigorously opposed by Herb Legg, who many years before, with Griffith and Walker, had helped develop Lakewood. Part of Legg's campaign

was that the County should not have bought the land on Bellflower Boulevard for a courthouse, and that he would terminate that sale as soon as he got into office.

Legg was elected to the Board of Supervisors. Shortly thereafter, it was proposed that the new Los Cerritos Municipal Court be located in Bellflower. It was then that I went to see George Turner, Legg's deputy, whom I knew quite well by that time. At this meeting, I was advised that all of Lakewood would eventually be a part of Long Beach. Therefore, the County was not going to construct the courthouse in Lakewood, because it would have to build one in Bellflower after Lakewood had been annexed to Long Beach. Turner stated that the annexation of Lakewood to Long Beach was inevitable, not only because of proximity, but also, because of the \$10,000,000 park plan that Long Beach was proposing for the benefit of the Lakewood area. Furthermore, Turner pointed out, "You can't remain unincorporated, and Lakewood can't afford to incorporate."

It was at this point that I suggested to George Turner that Lakewood incorporate and contract with the County for the performance of municipal services so as to avoid costly capital investment in buildings and other facilities. Turner was taken aback with the suggestion. He then stated that it would mean a lot more work for them (meaning County people) but might be a feasible plan.

This was the first time it had occurred to me that there was a method of incorporating and thereby preserving Lakewood's identity, continuing county-type

services, which the community had been receiving, and avoiding annexation to Long Beach. This, then, was the beginning of The Lakewood Plan.

Unfortunately, I lost the battle for the courthouse. The Los Cerritos Courthouse was constructed in Bellflower. The County land was sold and apartments now sit at the place where originally a courthouse was intended.

In the meantime, the possibility of incorporating a large Lakewood area with southerly boundaries at Wardlow Road, easterly boundaries at the San Gabriel River, westerly boundaries at Cherry Avenue, and northerly boundaries at Ashworth, existed. Even though Long Beach had the shotgun strip through the middle



Some Lakewood residents saw incorporation as a risky experiment.

of this area, the two areas could be joined together by going through the Douglas aircraft plant. We therefore had available one large Lakewood area for incorporation.

Then came a blow. The City of Long Beach made a deal with Douglas Aircraft. Douglas Aircraft needed to expand their plant and the City of Long Beach had agreed to expand their runways and put in numerous other improvements if Douglas in turn would annex their vast holdings to the City of Long Beach. Proceedings were then commenced to annex the Douglas plant to the City of Long Beach under the Annexation of Territory Act of 1939 pertaining to uninhabited territory.

But, we protested, the annexation of Douglas would result in the creation of two county islands, one island completely surrounded by the City of Long Beach with its westerly boundary being the Douglas Aircraft Plant, its northerly boundary being the shotgun strip at Carson Street, its easterly boundary being the San Gabriel River, and the southerly boundary being the Wardlow shoestring strip. The northerly island would also be completely surrounded by Douglas and Carson on the south and west, and on the north by the Ashworth shoestring strip, and on the east by the San Gabriel River shoestring strip.

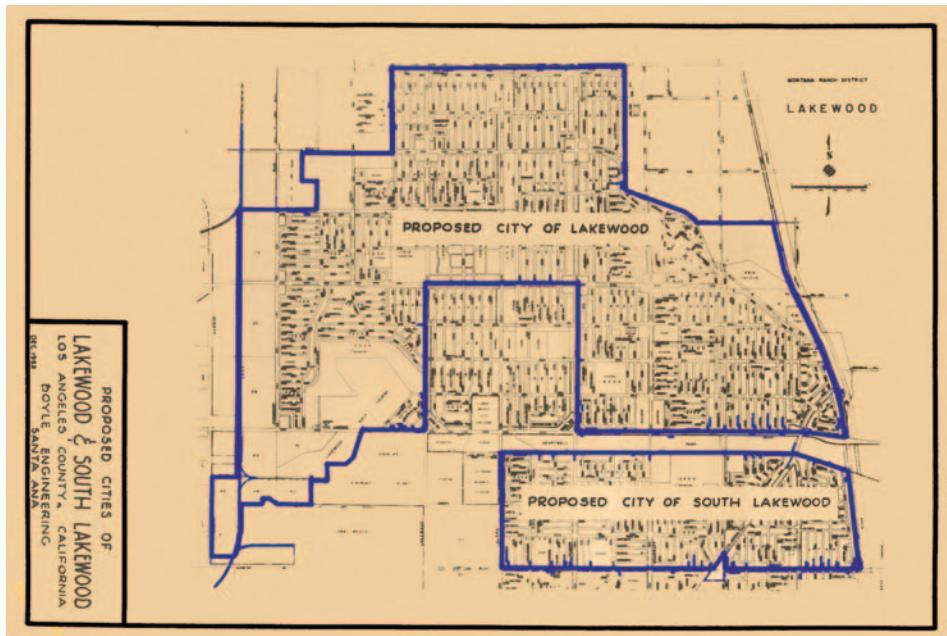
In the case of Leonard R. Jones, Edward Walker, George Muir and James Knox vs. City of Long Beach, myself and attorney Ted Sullivan filed suit in the Superior Court seeking a writ of mandate to invalidate the proposed annexation to the City of Long Beach on

the basis that the annexation was contrary to Section 35326 of the Government Code, which provided that: "Unincorporated territory may not be annexed if as a result of such annexation unincorporated territory will be completely surrounded by the annexing city."

Logically, we argued that this annexation results in the south Lakewood area being completely surrounded by the annexing city, and the north Lakewood area being completely surrounded by the annexing city. This matter was heard in June of 1953 before the Honorable Arnold Praeger, Judge, presiding in Department 34 of the Superior Court. Judge Praeger was unimpressed with our argument, contending that an island already existed and that all the Long Beach annexation did was to create two islands out of one island. He sustained the Long Beach annexation.

Appeal was taken to the appellate court in the case of Jones vs. Long Beach (125 Cal. App 2nd 610, 270 Pacific 2nd 863). But the appellate court sustained the trial judge, and Lakewood was now forever divided into two separate sections. Incorporation as a single city was now impossible.

In the meantime in March of 1953, a proposal was made before the Lakewood Taxpayers' Association that the Association circulate annexation petitions for the annexation of all of Lakewood and Mayfair to the City of Long Beach. This proposal was defeated and instead a resolution was adopted that the Association make a study to consider the feasibility of incorporating the



Fragmented by strips of Long Beach territory, Lakewood neighborhoods north and south of Heartwell Park sought to incorporate as separate cities that would later be joined. That plan, however, failed. The City of South Lakewood never materialized.

Lakewood area. This matter is reported in the March 19, 1953 edition of the Lakewood Enterprise.

In the meantime, the battle to prevent annexation to the City of Long Beach was succeeding. Except for the unfortunate annexation of Lakewood Village, all areas north of Carson Street were rejecting annexation. The battle had now gone to the west side, west of Lakewood Boulevard. Here Lakewood sentiment was extremely strong.

More and more the talk turned toward incorporation. Not only did the Lakewood Taxpayers' Association find itself torn apart with divided sentiment about

incorporation, but also other organizations were similarly affected. A deep and bitter battle developed in the Lakewood Chamber of Commerce. After much debate, it was decided that the Lakewood Chamber of Commerce would have a study made on the feasibility of incorporation. The study was made by James L. Stevenson of the Los Angeles Bureau of Municipal Research. When the report was issued in June of 1953, it was somewhat bitterly received by the Chamber of Commerce and a motion was made not to pay Mr. Stevenson's bill. However, before any concrete action would be taken on that motion, Mr. Stevenson was paid.

Mr. Stevenson in his report stated that there were two alternatives: (1) Incorporation as a sixth class city, and (2) Annexation to Long Beach. He then stated, *"As a municipality, Lakewood would rank as the sixth City of Los Angeles County and tenth in the state in population. By utilizing the normal sources of municipal revenue including state and county subventions, Lakewood as a city could collect annually a revenue of \$1,650,000 or a general average of \$66.00 per family. This is below similar collections in many cities of equal size, but owing to the possibility of contracting advantageously for certain services (emphasis added), we are convinced that the proposed revenue budget would provide the services and the contingent funds indicated."*

Stevenson, however, concluded that Lakewood would be better off by annexing to Long Beach, pointing out that "Long Beach has unusual resources and tide land oil" and by reason of this unusual wealth the city maintained a low tax rate. Stevenson stated, "If Lakewood has the opportunity of annexing to Long Beach on satisfactory terms, it is a choice given to few communities in a similar situation."

By the latter part of 1953, I was serving as attorney for the businessmen's committee supervising the fight against annexation. This group had a vital interest in the preservation of the identity of Lakewood and in preventing its annexation to the City of Long Beach. Serving with the group was Guy Halferty who also

was a liaison between that group and the local civic organizations and other groups fighting annexation. Also working with the group was Don Rochlen, the public relations for Ben Weingart.

As the annexation battle continued and our successes also continued north of Carson Street, Don Rochlen came to me in the latter part of 1953 and advised me that Ben Weingart felt it was necessary to incorporate Lakewood Center to prevent future annexation battles. He desired to incorporate the City of Lakewood as Lakewood Center with five hundred surrounding homes, probably on the west Lakewood side since it was strong for Lakewood, and thereby prevent any further annexation encroachment.

I suggested to Don Rochlen that we should incorporate all of the Lakewood area for the same reason, and I felt it was a practical, possible and feasible. I outlined for his consideration a plan whereby the city would incorporate and contract with the County for the performance of municipal services, thereby avoiding the initial capital expense of creating city departments, acquiring city facilities, buildings, land etc.

Rochlen suggested I talk with Lee Hollopeter since his approval would be necessary. The plan was then outlined in detail to Lee Hollopeter and the businessmen's group. It was decided that we would announce on the eve of the West Lakewood Annexation election that our next step would be to incorporate and that people in west Lakewood should vote against

annexation so the area would be free to incorporate.

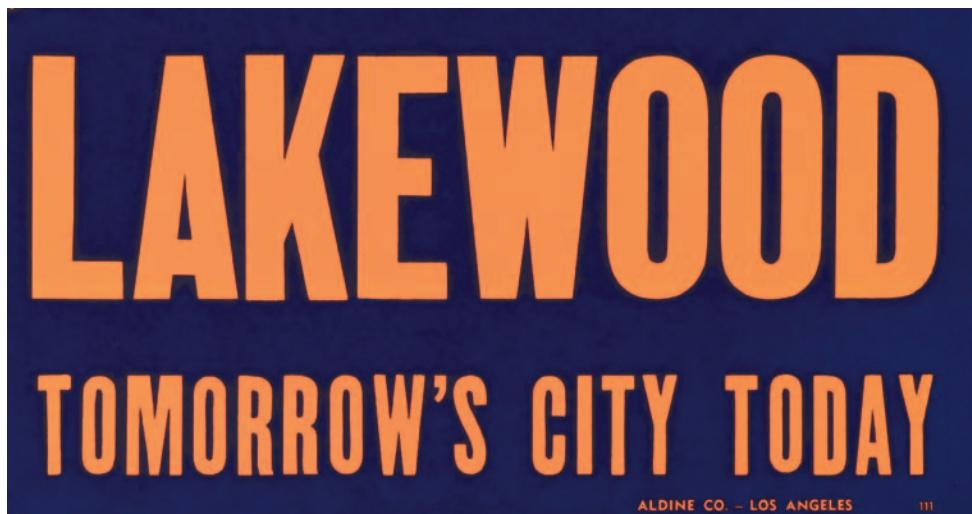
For the first time in an annexation battle the press releases and other information mentioned incorporation as a logical alternative. In connection with the west Lakewood annexation battle, a brochure was released by the West Lakewood Civic Association wherein it was openly suggested that the future of the area was to incorporate as our own City of Lakewood.

Also on the eve of the West Lakewood Annexation election I appeared at a school on the west side and outlined in some detail how the City of Lakewood could incorporate and contract for its services with County departments.

Backers of the movement and financial support had now been obtained. We were committed to incorporation.

We would sell incorporation based upon return of County services through contract. Thus we would satisfy those people who favored retention of County services and also satisfy those people who were concerned about the cost of incorporation, having their own city departments, facilities, etc.

But we had commitments also to people both north and south of Carson and by reason of the Douglas annexation it was not possible to incorporate as one area. I then proposed to our businessmen's committee that we incorporate the twin cities of Lakewood and South Lakewood. Simultaneous proceedings would be commenced north of Carson for incorporation of the City of Lakewood along with proceedings south of Carson for the incorporation of South Lakewood. Once both cities



Enthusiasm among Lakewood supporters ran high. The campaign was a "grass roots" effort, with moms and dads working around kitchen tables to send pro-incorporation mailers to their neighbors.

had been incorporated, they would contract together for mutual performances of services. Then state legislation would be sought to amalgamate the two cities.

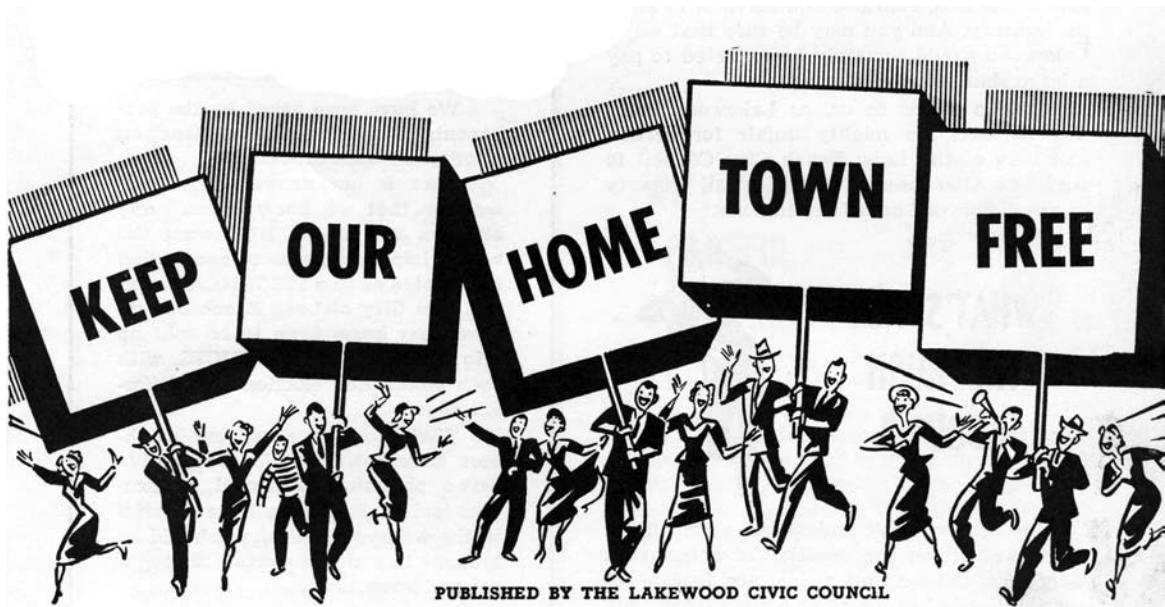
The incorporation committee was then formed and offices obtained on Lakewood Boulevard. Guy Halferty was assigned the function of running the office. We hired a secretary, Nita Birch, who later became first City Clerk of the City of Lakewood.

Co-chairmen of the Lakewood Incorporation Committee were Joe Covas, who was chairman of the

Lakewood Incorporation movement north of Carson Street, and Clarence Smickel, who was chairman of the Lakewood Incorporation south of Carson Street.

At first, the communities were referred to as North Lakewood and South Lakewood. Later, however, the designation of "North" was dropped and the movement became known as the movement to incorporate the Twin Cities of Lakewood and South Lakewood.

Our businessmen's group had available technical information that was accumulated in a document entitled



Independence for Lakewood was the principal theme of the incorporation movement.

"The Proposed City of North and South Lakewood." This was assembled in September of 1953. The compiled information contemplated contracting with the County for the performance of municipal services.

The businessmen's committee then retained the services of Boyle Engineering of Santa Ana, California to write a report on the proposed incorporation of the cities of Lakewood and South Lakewood. This report was issued in December of 1953, and became known as the Boyle Report and was the Bible for the incorporation movement.

The report was written primarily on information the committee had supplied to Mr. Boyle but which of course he verified. We told him that the study should be based upon contracting with the County for the performance of municipal services. The report covered each type of service to be provided and pointed out that the service may either be acquired through contract with the County or by remaining in a district or provided by other sources.

Summarizing the report, Boyle recommended that the city contract with the County for road maintenance and repair services, health and sanitation services, remain in the Lakewood Sewer Maintenance District, obtain the dissolution of the garbage and trash districts and contract with a private firm for collection or provide a city service, contract with the Sheriffs Department for law enforcement services, and with the State Highway Patrol for traffic enforcement, remain in the Consolidated Fire Protection District, retain street light maintenance

by remaining in the existing Street Lighting Districts, contract with the County for Building Department services, contract with the County for Planning Services, remain in the County Public Library district. He also pointed out that other districts such as Mosquito Abatement, Los Angeles County Flood Control, County Sanitation District, Park Recreation and Parkway District, and School District will continue regardless of whether the city incorporates or not.

I digested the findings of Mr. Boyle, which was prepared and released to the incorporation study committee in October of 1953 prior to the entire report being released.

In the meantime, the incorporation movement was catching fire. The surge started with the annexation battle that had now become a tidal wave. Joining and working almost day and night with the committee were Bill Burns and Bob Baker. They had the singular task of preparing and coordinating the circulation of incorporation petitions for the City of Lakewood. Working out of the same office and coordinating the circulation of the incorporation petitions for South Lakewood were Clarence Smickel and Bob Bark.

In one of the most fabulous petition circulation feats of all time, the incorporation committee of Burns and Baker, in a period of fourteen days, obtained the signatures of over 37% of the property owners of the proposed City of Lakewood: 11,128 names. The petitions were filed, the names published, and the beginning of the

City of Lakewood had commenced.

In the meantime, the proceedings for the City of South Lakewood continued and petitions representing more than 25 percent of the property owners of south Lakewood were filed in the early part of 1954.

Previously, in November of 1953, we had filed the petitions for incorporation of Lakewood with Ray Lee, Clerk of the Board of Supervisors. Attached to the petition was a certification verifying the same, executed as follows: *"That they, each of them, are owners in fee or purchasers under written agreement to buy, of lands situated within the limits described in the foregoing petition for the incorporation of Lakewood, and that each and every signature to such petition and all the signatures on all the accompanying pages of said petition are genuine. Signed: Donald Rochlen, Joseph J. Covas, Roy M. Hansen, William J. Burns, John S. Todd."*

In the meantime and because the committee was proposing the "contract plan," Lee Hollopeter, Guy Halferty, sometime accompanied by Clarence Smickel, Floyd Damman or other members of the Committee, and myself visited various County department heads to discuss with them whether or not it was feasible and practical and whether or not they would contract with us for municipal services. We saw all County people affected and received the assurance of each and every one of them.

Those visited included General Fox, County Engineer; Sam Kennedy, Superintendent of Streets;

Milton Brievogel, Director of Planning; Peter Pitchess, Undersheriff; and Keith Klinger, County Fire Department. All of these people were strong supporters and encouraged us. They all promised to obtain County Counsel approval.

In December of 1953, at the request of Don Rochlen, I wrote a letter to him for his use, his employees' use, and for the use of the incorporation committee outlining the incorporation movement and the contract proposal.

In that letter, I stated the following: *"We are informed that the committee for incorporation has contacted various County departments and has ascertained that they will be able to contract for the performance of all of the services with Los Angeles County. This will then mean the elimination of costly duplication between City and County government. There will be no necessity for a local Police Department, Fire Department, Road Department, and other County facilities, such as a City Hall.."*

The December 23, 1953 letter is interesting because it outlines the basic contract proposal and what we were doing at that time but is also interesting for some of its other comments, such as "There will be no need for a City Manager."

Also attached to this memorandum is a letter of February 4, 1954, from Peter J. Pitchess Undersheriff indicating that the Sheriff had determined that it would be legally possible for the Sheriff to contract with the city for

the performance of law enforcement services.

In the meantime on January 7, 1954, perhaps the most important event in Lakewood's history took place. This was the boundary hearing before the Board of Supervisors on the proposed incorporation of the City of Lakewood. I had been designated as spokesman. In attendance were many of the people who worked so

actively on the incorporation movement. Lou Boyar, also representatives of the Lakewood Park Corporation, and other interested people were present.

There had been an attempt by petitions to exclude certain portions of the proposed City of Lakewood. The City of Long Beach had sought to exclude areas to the south around the airport and most of the area south of Carson. A group in Mayfair had sought to exclude all of the Mayfair area. Another group in Lakewood Gardens had sought to exclude all of that area. A fourth group, and the most embarrassing in all so far as I was concerned, sought to exclude the Lakewood City tract area, the old area developed by Legg, Griffith and Walker, where I resided. These exclusions could have had a damaging effect on the incorporation movement.

However we appeared with great force, and I am sure the number of people in attendance and the many speeches given had a profound effect on the Board of Supervisors. At this meeting, I also outlined the proposal of the Lakewood Committee to create two cities, Lakewood and South Lakewood, which later would be amalgamated together. I advised the Board of Supervisors that both cities would contract with the County for the performance of municipal service and thereby avoid a costly duplication and also continue the status quo that then existed, pointing out that the primary purpose of incorporation was to prevent annexation by Long Beach.

At the conclusion of the hearing, all requests for



John S. Todd, Father of the Lakewood Plan

exclusion were denied. As reported in the Lakewood Herald American of January 10, 1954, the Board unanimously approved the proposed incorporation with Supervisor Legg crying out "Let's give them this chance to govern themselves and one of these days they'll be showing us a thing or two about government" I gathered up my papers, put them in my briefcase, and walked to the back of the room. There stood great, big, lovable Ed Walker with tears running down his cheeks. He was so happy, he was crying.

In the meantime, problems were arising with the South Lakewood movement. The people in Long Beach sought to annex the South Lakewood area forcing me again to go to court, and in the case of Johnson vs. City of Long Beach we obtained an injunction enjoining the City of Long Beach from proceeding with its annexation. However, by the time this injunction was obtained in the summer of 1954, Boyar and Weingart had withdrawn from the incorporation movement, and the support in South Lakewood was dwindling. Eventually, the Board of Supervisors, by motion, terminated the South Lakewood incorporation proceedings.

On March 9, 1954, the people of Lakewood voted on the issue of incorporation. The vote in favor of incorporation was 3 to 2.

Working actively in the incorporation movement had been George Nye, Bob Baker, William Burns, Angelo Iacoboni, and Gene Nebeker. These people had worked at the campaign level - out getting in the vote. They were

rewarded by being elected to the first City Council of the City of Lakewood.

The election was a great surprise to many, many people, since the City of Lakewood was the first city to incorporate in the County of Los Angeles since 1939. No one in the City of Long Beach had given the Lakewood incorporation movement a ghost of a chance.

As the results came in, the incorporation office on Lakewood Boulevard became a bedlam. People were screaming and yelling and more and more people were crowding in to get in on the celebration. I will never forget George Turner walking in at the height of the celebration when it was clear that Lakewood had incorporated. He was totally astounded, more likely, dumbfounded. This he had never anticipated, nor had the other Long Beach people.

A new city was born.

A new city is born

As part of the final incorporation movement, it was decided that the committee would work closely with all candidates for office.

There were several factors involved. One, all candidates would be indoctrinated in the contract plan. Two, by indoctrinating them in the contract plan, they in turn would be selling the contract plan and incorporation. Three, each candidate would then in selling himself also sell incorporation.

The business group then decided that I should outline the contract plan and submit that in a series of lectures at the incorporation headquarters on Lakewood Boulevard. Invited to these lectures would be all candidates for the City Council.

I then prepared an incorporation speech outline that covered all of the elements to be considered by candidates in going out and selling Lakewood and selling the contract plan.

Also in order to have an answer to the critics of the Lakewood Plan, as to the feasibility of our program, the committee decided to send Lee Hollopeter to Nassau

County New York, where a somewhat similar type of contract operation was in existence. After Lee returned and supplied me with all the information and material pertaining to the Nassau County Plan, I prepared a digest of the Nassau County Plan, which in turn was submitted to the candidates for City Council at the study sessions.

Previously the committee had retained the services of Phil Neff, a U.C.L.A. Professor, who, in July of 1953, wrote the Neff Report entitled "Municipal Government for Lakewood: Issues regarding Annexation and Incorporation." Neff, in his report, pointed out that incorporation was both feasible and practical.

Sometime thereafter, Dr. Neff and I were debating in a school auditorium with two of the most rabid opponents of incorporation. This was towards the latter stages of the campaign when the committee had succeeded in obtaining daily delivery of the Los Angeles Daily News free to each home in Lakewood. Contained in each edition of the paper were articles favorable to incorporation. Of course, the businessmen's committee was underwriting the cost of the publication and delivery of this newspaper.

At the height of this debate that I referred to, one



INCORPORATION VOTED BY LAKWOOD

Yes or no? Should Jimmy run?

Jimmy Roosevelt's decision to run for Congress, and the endorsement of his candidacy by 91 votes of the 26th Democratic District Council, has rocked the Democratic Party in California more than any event in recent political history.

Where Democrats get together, the major topic of conversation is, "Should Jimmy run for Congress? What will it do to the party? Will it hurt other candidates? How do people feel about his wife's charges and his answers?"

Two facts stand out:

1—Jimmy was endorsed by a one-vote majority of delegates in the district in which he plans to run.

2—Most of the party leaders are opposed to his candidacy. But most important is: What do the rank-and-file Democrats think? Do they believe that Jimmy's candidacy at this time is in poor taste and harmful to the party and to the candidates running for other offices? Or do they believe that this race provides the means for Jimmy to vindicate himself and that it is proper for him to run? As a public service, therefore, the Daily News is going to provide a method of expression for the rank-and-file.

Since the Daily News is the only newspaper in the west that consistently advocates Democratic principles, and since our circulation goes largely to Democratic readers, this newspaper believes that the quickest and surest way of measuring the sentiment of a large segment of Democrats is to provide them with the means to register their approval or protest.

The Daily News, therefore, will publish a ballot on the front page of this newspaper Saturday, March 13.

It will be a simple question: "Should Jimmy Roosevelt run for Congress in the 26th district?"

You can mark your ballot "yes" or "no."

Daily News

WEDNESDAY, MAR. 10, 1954 2★ LOS ANGELES 54

TEL. RICHMOND 6565

M'Carthy blistered by GOP colleague

WASHINGTON, March 9.—(UPI)—charges. The committee chose

VOTE BY PRECINCT

Unofficial Telephonic Returns		
Precincts	Incorporation	Assent
1	286	210
2	379	172
3	408	223
4	974	593

People pave
the way
for growth

Amazing Lakewood, which grew from a deserted area to one of the county's largest communities almost overnight after the war, last night took another big step by voting to become a full-fledged city.

WITH ALL 27 precincts reporting, unofficial telephonic re-

After a night of anxious vote counting on March 9, 1954, incorporation had won.

of the most outspoken of the rabid opponents held up a copy of the Los Angeles Daily News, and shouted dramatically, "And how much did this cost?"

At that point, George Nye, who was seated in the audience, jumped to his feet, thrust his right hand up as if he were holding in it a coin and shouted "ten cents!"

The audience of several hundred people broke out into a roar of laughter. The opposition had been routed. From this time on, I felt confident that victory was

in our grasp.

The movement also began to gather greater momentum. People like George Nye, Gene Nebeker, Angelo Iacoboni, Bill Bums, Bob Baker, Joe Covas, Floyd Damon, Mark Frederick, Jim Knox, Charles La Tourrette, Verne Smith, Bill Summers and others were working actively not only for their own candidacy but also for the incorporation of Lakewood.

On March 16, 1954, I outlined in a letter to Herbert

C. Legg the proposal by the five Councilmen-elect of the City of Lakewood that the City of Lakewood contract with the County for performance of municipal services.

Although we had been assured by County department heads and other County officials, including Peter Pitchess as previously mentioned, that the County could and would contract with us I was shocked therefore to receive a telephone call from County Counsel Harold Kennedy advising me that he did not feel the County could contract with us in that the City would not have any means to pay for these services. He placed his objection on the fact that the City would not be collecting taxes for a period of almost one year. But I protested the City would have other sources of revenue such as business licenses and other funds whereby these services could be paid for commencing July 1, 1954. Mr. Kennedy said however, that we had to be in a position whereby we could levy taxes at this time before the County could contract with us, otherwise it would be "a gift of public funds."

I was shocked. All of our plans would now go down the drain. All of our planning and work were lost by what appeared to me to be a very arbitrary decision.

In addition, I might point out that today no such issue is raised. The County recognizes that it must supply services to the end of the fiscal year at no charge to the city in that the area of the city already had paid for these services. On the other hand, it must be remembered that this was 1954 and no city had

incorporated since 1939. Apparently, no one in the County Counsel's office had been properly briefed of our plans or county officials must have felt that the movement would not succeed. At least no one had ever communicated to us their feelings.

This indeed was one of my darkest moments. I contacted Lee Hollopeter. He called me back shortly thereafter and told me to call Herb Legg and demand immediate action. At this point, I wasn't thinking too nicely of Herb Legg because I felt that someone might be trying to defeat our successful incorporation. I still had deep wounds and scars from the battle with Long Beach.

I did what Lee Hollopeter suggested. Herb seemed upset and protested my attitude. Looking back on that day, I believe that Herb was probably an innocent victim and had not done anything to destroy the movement.

The result however was that the next day the Board of Supervisors sent Hal Kennedy, myself, Gene Nebeker, and Angelo Iacoboni and a special attorney we retained to assist us, the late Royal M. Sorenson, to Sacramento, to obtain special legislation whereby the City Council could enact a property tax upon the Council taking office which would be retroactive to February 1, 1954.

In Sacramento, we found a special ally. He was George Wakefield then assistant County Counsel. George was the great supporter of the contract idea and most cooperative. Soon George and Hal Kennedy opened all doors to us and legislation was quickly obtained.

Assisting George Wakefield as kind of a "flunky" messenger was a young attorney named Forest Shumway. He later became president of Signal Company.

I feel that I must bring this history to an end. There were many problems, many roadblocks that we had to overcome and many laughs and tears in starting Lakewood on the road to a successful city.

I've been particularly impressed during this period with the tremendous civic spirit shown by so many groups in working out the problems of Lakewood. I think back about such persons as John Pares, Clarence Smickel, Alton Parker, Captain Garrison, and Ruth Bach. No one can forget Ed Walker and all he did for Lakewood. Don Rochlen's tremendous ideas and drive. Lee Hollopeter, a most brilliant man, Joe Covas and Jim Knox, Bud Jones and others made tremendous contributions. Guy Halferty, our PR man and idea man, also played a vital role, and such slogans as "Lakewood: My Home Town" and "Lakewood: Tomorrow's, City Today" developed during his reign.

I particularly appreciated the moral and legal support I received from Angelo Iacoboni in the annexation battles. He encouraged me when my hopes were down.

Bill Burns and Bob Baker made a tremendous contribution in the petitioning stages of the campaign and in the incorporation battle.

George Nye, although I only became acquainted

with him later in the campaign, became one of the strongest and most ardent campaigners and strongly supported the contract plan.

I've not mentioned herein much of the technical work that came after the battle had been won. For that reason County Counsel John Maharg perhaps has not received the recognition he should have had. It was, however, John Maharg who prepared all of the agreements and did all of the legal work that made the contract plan possible and continued to have a very active hand in the program for years after incorporation.

I cannot of course in such a story as this, covering basically the period of 1949 through incorporation in 1954, cover or give treatment to all the people who played a very vital role in the development of the City. As I stated in my introduction this is a history of Lakewood as seen through my eyes and my experience. I've not intended to imply by this history that other things were not happening or that other people not herein mentioned weren't actively performing functions in the development of Lakewood.

In particular in that regard, I have in mind such people as Ben Weingart, Lou Boyar, Mark Taper and others. These people actually developed Lakewood. Without them, this story would not have been written. They were the ones who invested the money, laid out the city and developed "Tomorrow's City Today." The incorporation of the City of Lakewood would never have been possible without their foresight and courage.

At that meeting with the Taxpayers' Association in the Lakewood Country Club many years ago, Lou Boyar pointed out that they would build a shopping center and around that a city, that he would make a city for us and millions for himself. I am glad that he did so.

I only met Ben Weingart on one or two occasions. He was however a very impressive person. The other partners seemed to rely on him and his word was final.

Many other people worked in the drafting of the contracts. I find, because this narration must come to an end, that I can't mention all of them. However, John

Leach of the CAO's office was the prime negotiator and arranger of all terms and provisions of the original contracts. He was a very strong and ardent supporter of our contract system.

After the City had been formed, the contracts approved by the City Council, and we had been in operation for a few months with a staff consisting of Nita Birch, City Clerk; Guy Halferty, Executive Secretary; myself as City Attorney. Leach suggested that we hire a financial advisor the auditor for the City of Arcadia. This man was Robert T. Andersen, who by the summer of 1954 came to the city and became our first City Administrator.

Although my first contact with Harold Kennedy was not entirely pleasant, he assured me in that difficult time in March of 1954 when we were in Sacramento that he was a very strong supporter of the contract plan and had written the County Legislation and the County Charter authorizing such services. I have found out through the years that Mr. Kennedy was an ardent and strong supporter of the contract plan and by his foresight and by reason of the Joint Powers Act that he wrote as well as the provisions in the County Charter, the contract system was made possible.

**John S. Todd, Lakewood City Attorney
February 22, 1969**

John S. Todd



John S. Todd, Father of the City of Lakewood: A History

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If you would like to know more about John S. Todd, the Lakewood Plan and Lakewood's history, click to www.lakewoodcity.org/50th.