

REGULAR MEETING.

Berkeley, California,  
Wednesday, April 3, 1946.

1. A regular meeting of the Council of the City of Berkeley was held in the Council Chamber of the City Hall on the above date. The meeting was called to order at 10:00 a.m. Present - Councilmen Beckley, Hoyt, McKee, Mork, Pursel, President Robertson and City Manager Vander Ende. Absent - Councilmen Corley, Martin and Parce.
2. The minutes of the regular meeting of March 27, 1946, were approved as recorded on motion made and seconded by unanimous vote.

BIDS:

3.

Pursuant to Notice to Bidders for furnishing Welded Steel Pipe to be used by the Public Works Department, for the balance of the fiscal year 1945-46, a bid was received, publicly opened, examined and declared from the California Corrugated Culvert Company, bidding as follows, which was accompanied by a certified check in the sum of \$100:

<u>Items</u>	<u>Amount</u>
160 feet more or less of 10"	\$ .85½ per foot
160 feet more or less of 12"	\$ 1.01½ per foot
120 feet more or less of 16"	\$ 1.39 per foot

On motion of Councilman McKee, seconded by Councilman Hoyt, a resolution was unanimously adopted referring the bid to the City Manager for compilation and report.

HEARINGS:

4.

At 10:05 a.m. the Council took up the hearing on the proposed closing and vacation of the unnamed street in the Batchelder Tract and now known as Fernwald Avenue, in the City of Berkeley, which was continued from the meeting of March 6, 1946.

Lieutenant Boynton, owner of the property in the vicinity of the street closing, and Roscoe E. Jordan, Attorney at Law, representing the owners of the property in that district, were present at the meeting.

Mr. Jordan stated that the University of California has not completed its part of the survey in that district, and requested that the hearing be continued until the first meeting in June, 1946.

On motion of Councilman Beckley, seconded by Councilman Hoyt, a resolution was unanimously adopted continuing the hearing on the closing and vacation of Fernwald Avenue to 10:05 a.m., Wednesday, June 5, 1946.

5.

At 10:10 a.m. the Council took up the hearing on the proposed reclassification of Lots 7, 8, 9, 11, 12, 13, 14, 15 and the eastern 25 feet of Lot 16, Block 127, "Corrected Map of the Raymond Tract", located on the west side of Fifth Street, between Bancroft and Channing Ways, from Class I, Residential Classification, to Class VI, Industrial Classification, under Ordinance No. 2180-N.S.

The recommendation of the City Planning Commission was read that the proposed reclassification be authorized.

The Clerk reported that notices of this hearing had been duly posted.

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The Clerk then presented a letter which had been received from Hugh M. Lewis, 732 Channing Way, protesting against any further rezoning for industrial purposes of properties in close proximity to residential property.

He further complained about small manufacturing establishments, which are built among residences, and called attention particularly to the one which has been allowed to occupy the property located at the southeast corner of Channing Way and Fourth Street.

He pointed out that this concern accumulates large quantities of waste paper which is disposed of by burning in an open bonfire, which is an hazard to the other property in the vicinity because of loose, flaming paper being permitted to blow around.

In this connection a communication from Fire Chief Meinhart was presented and read in reply to Mr. Lewis' complaint relative to open bonfires at the Mulvany Laboratory, 720 Channing Way. He stated that the Fire Department received its first and only complaint regarding burning at the Mulvany Laboratory on March 16, 1946; that one of the Fire Inspectors contacted Mr. Brewer, the contractor who was doing some structural work on the premises for Mr. Mulvany, and who was responsible for the burning and who was doing so contrary to orders of Mr. Mulvany; that Mr. Brewer has since completed his job and left the premises, and there has been no burning, to the best of his knowledge, since the original order to stop on March 16, 1946. Further, that he had contacted Mr. Mulvany on April 2, 1946, who stated that orders have been issued that he will dismiss any employee who does any burning until such time as he is able to provide a proper incinerator such as was suggested and for which he has already placed the order.

Councilman Hoyt moved the reclassification of the above property be authorized.

The motion was seconded by Councilman McKee.

Councilman Mork stated that he feels like Mr. Lewis; that Fourth and Fifth Streets have been residential streets and should not be changed to industrial uses and that they should be very careful about rezoning property in that vicinity; that he was not in favor of the reclassification.

A short general discussion relative to this matter then followed.

No protestants were present at the meeting.

On call of the roll, a Bill was passed to print reclassifying the property, Councilmen Beckley, Hoyt, McKee, Pursel and President Robertson voting "aye", Councilman Mork voting "no", and Councilmen Corley, Martin and Parce being absent.

6. At 10:15 a.m. the Council took up the hearing on the proposed reclassification of the property known as 1326 Arch Street, from Class "A", Single-Family Classification, under Ordinance No. 2181-N.S., to Class I, Apartment Dwelling Classification, under Ordinance No. 2180-N.S.

The recommendation of the City Planning Commission was read that the petition be granted.

The Clerk reported that notices of this hearing had been duly posted.

There being no protestants present, on motion of Councilman Hoyt, seconded by Councilman Pursel, a Bill was passed to print reclassifying the property as requested.

7. At 10:20 a.m. the Council took up the hearing on the petition of Mrs. Henrietta T. Austin requesting permission to utilize the property known as 2430 Durant Avenue as a Medical Building, which will provide three or four sets of offices adequate for the requirement of Doctors.

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The recommendation of the City Planning Commission was read that the petition be granted.

The Clerk reported that notices of this hearing had been duly posted and that post card notices had been mailed to the property owners within the area of protest, and that no protests had been received.

There being no protestants present, on motion of Councilman Mork, seconded by Councilman Hoyt, a resolution was unanimously adopted granting the permission to utilize this property for Medical Building purposes.

COMMUNICATIONS:

The following communications were read and action taken thereon as below shown:

8. From Lee Nutting, 2441 Russell Street, transmitting a copy of a letter which he had forwarded to Mr. A. J. Lundberg, President, Key System, protesting against the practice of the Motor Coach Operators driving directly across the intersections ahead of the "F" Train, which apparently is a maneuver to avoid the necessity of picking up "F" Train passengers at the transfer point, and is a violation of all safety practices.  
On motion of Councilman Hoyt, seconded by Councilman Pursel, a resolution was unanimously adopted referring the communication to the City Manager to follow up.  
  
At this time Councilman Pursel stated that he had heard a number of favorable comments relative to the elimination of the switching back of the No. 3 Street Cars on University Avenue; that he wonders if the City Manager can check with the Key System relative to a further survey of continuing the Sixth Street Bus out as far as Gilman Street.
9. From Woodbridge Metcalf, Chairman, Disaster Preparedness Committee, Berkeley Chapter, American Red Cross, requesting that the emergency supplies purchased by the City during the war be transferred at once to the Red Cross Headquarters. He pointed out there is adequate storage space at 2116 Allston Way where these materials can be stored and maintained as part of the ~~Disaster~~ Preparedness Plan.  
On motion of Councilman Hoyt, seconded by Councilman Beckley, a resolution was unanimously adopted authorizing the City Manager to make the proper arrangements with the American Red Cross for the storage and maintenance of these supplies.
10. From Ralph R. Eltse, Attorney, opposing the proposed license tax to be imposed upon all types of business and professional activities in Berkeley, for the reason the businessman is now harassed beyond the point of endurance in complying with governmental regulations, whether Federal, State, or City, in making out voluminous reports, statements and returns, and that the City has proposed that the tax limit under the Charter shall be removed, on which the voters are to vote at the Special Municipal Election, and if the tax limit is removed there is no reason why sufficient finances cannot be raised through general assessment rather than through special assessment, by way of imposition of a business and professional tax.  
Councilman Mork stated that at the time the Charter Amendment and Bond Issue was discussed it was, also, planned to supplement the taxation methods by some type of business tax and other taxes; that they had not decided upon any specific procedure, and he feels this particular letter should be answered and an explanation given.  
On motion of Councilman Pursel, seconded by Councilman Hoyt, a resolution was unanimously adopted referring the communication to the Conference Session.

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President Robertson stated that several discussions have been held with different groups and organizations and various ways and means suggested as to the type of tax, but they have not come to any definite conclusion yet.

11. From Marjorie Walker, Manager, United States Employment Service, calling attention to the fact that since V-J Day 4,505 veterans have registered with the Berkeley Office as unemployed, and that 962 have gotten jobs through the Berkeley U.S.E.S., and yet at the present time 2,114 veterans are still unemployed, and requesting assistance and cooperation of the City in the campaign for jobs for veterans, which has been started by her office and industry.

President Robertson stated that about two years ago when the Citizens' Postwar Advisory Committee was formed one of its specific duties was to help in the coordinating of the returning veterans to peace time jobs, and that a Committee on Economic Development was formed for this particular job; that they are all sympathetic with the ideas expressed by Mrs. Walker and are very much interested in placing all of the returning veterans, and he believes the communication should be referred to the Chairman of the Economic Development Committee, and suggested that Councilman McKee contact the Committee giving them the information and to follow through on this problem.

On motion of Councilman Beckley, seconded by Councilman Mork, a resolution was unanimously adopted going on record as heartily endorsing the work started by the United States Employment Service and Industry relative to the campaign for jobs for veterans, offering assistance and cooperation in every possible way and authorizing Councilman McKee to give the Economic Development Committee this information and to follow through on the problem.

12. Before the close of the meeting Mrs. Douglas Carter, representative of the Berkeley League of Women Voters, addressed the Council stating that the members of the League of Women Voters were particularly interested in the comments of the Council relative to the communication, which had been read earlier in the meeting, opposing the proposed business license tax; that the League knows the City should be put on a broad financial basis, or the services to the citizens of Berkeley cannot be maintained; that they would like to know what progress has been made by the Council with regard to the study of the business license tax before they take a stand on the Charter amendment to eliminate the One Dollar Tax Limit.

President Robertson stated an Ordinance has been drawn up covering a Business License Tax, which has been discussed with various groups and organizations, but many of the points are involved and are technical; that in order to make it an equitable tax it has to be studied very carefully; that the various groups in the City are cooperating very well and are offering many suggestions; that he does not speak for all of the Council members, but he does not think there is any doubt but that all of the Council realize the need of a broadening of the tax basis; that he does not know how soon the Ordinance will be ready, but the League can be assured the Council will not overlook the broadening of the tax basis.

Councilman Mork stated that after a careful study and consideration of the Charter amendment and the bond propositions, to be submitted to the people at the Special Municipal Election, he, for one, is in favor of a Business Tax in the most effective form.

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13. Before the close of the meeting Councilman Pursel asked if it would be possible to have Traffic Signals installed at the intersection of Ashby Avenue and Sacramento Street.

City Manager Vander Ende stated that a survey has been made of that intersection and of several other intersections on Ashby Avenue; that the approximate cost of signaling one intersection is \$2,000, and that the matter has been taken up with the State of California to see if gasoline tax money can be used this purpose.

REPORTS OF CITY MANAGER:

City Manager Vander Ende verbally reported on the following matters:

14. Opening the Municipal Pier for Fishing.  
That the repairs have now been completed on the Municipal Pier, and recommending it be opened on Saturday, April 6, 1946, for fishing.  
On motion of Councilman Hoyt, seconded by Councilman Pursel, a resolution was unanimously adopted opening the Municipal Pier for fishing on April 6, 1946.
15. Amendment to the Traffic Resolution.  
That the Police Department recommends the 37 foot Loading Zone on the north side of Center Street, in front of 1977 Center Street, be eliminated for the reason the wood and coal yard building at that location has been demolished and the zone is no longer needed.  
On motion of Councilman Hoyt, seconded by Councilman McKee, a resolution was unanimously adopted amending the Traffic Resolution to provide for the elimination of this Loading Zone.
16. Amending Ordinance No. 2686-N.S. (Annual Appropriation Ordinance).  
That a Bill has been prepared amending Sections 15 and 17 of Ordinance No. 2686-N.S. (Annual Appropriation Ordinance), and recommending it be adopted. He stated that items "A" and "B" of Section 15, Police, are being decreased and items "D" and "E" under the same Section, are being increased, and that item "E" under Section 17, Pound, is being increased by \$240; that the overall amount of the Police budget is not being altered but there is a transfer within the budget to provide for the purchase of some new filing equipment.  
On motion of Councilman Mork, seconded by Councilman Hoyt, the Bill was unanimously passed to print amending the Annual Appropriation Ordinance.
17. Public Auction--Secondhand 1940 Chevrolet Cab.  
That the Department of Equipment Maintenance wishes to dispose of a secondhand 1940 Chevrolet Cab, and recommending that it be sold at Public Auction to be held at 9:00 a.m., Friday, April 12, 1946, at the Corporation Yard of the City.  
On motion of Councilman Hoyt, seconded by Councilman Pursel, a resolution was unanimously adopted authorizing this Public Auction and directing the Clerk to advertise.
18. Bid for Furnishing Polling Place Equipment.  
That last week a bid was received from Lyon Storage & Moving Co. for furnishing 262 sets, more or less, of Polling Place Equipment to be used at the Special Municipal Election to be held on Tuesday, April 30, 1946, bidding \$3.75 per set, or approximately \$990, and recommending it be accepted and the contract awarded.  
On motion of Councilman Pursel, seconded by Councilman Beckley, a resolution was unanimously adopted accepting the bid and authorizing the contract.

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19. Bids for Driving 31 Piles in the Berkeley Yacht Harbor.  
That last week five bids had been received for Driving 31 creosote piles in the Berkeley Yacht Harbor, and recommending that the low bid of the Evans Construction Co., in the amount of \$1,934.40, be accepted and the contract awarded.  
On motion of Councilman Pursel, seconded by Councilman Hoyt, a resolution was unanimously adopted accepting the bid of the Evans Construction Company and authorizing the contract.
20. Bids for Furnishing Traffic Paint.  
That several weeks ago three bids were received for furnishing Traffic Paint to be used for marking the Streets of the City, for the balance of the fiscal year 1945-46, and that samples of the paint proposed to be furnished by the Sherwin Williams Co. and the General Lumber and Supply Co., the two lowest bidders, have been tested by Curtis & Tompkins, Ltd., Analytical and Engineering Chemists of San Francisco, and the samples do not comply with the specifications of the City; that he, therefore, recommends the bid of the Sterling Paint Co. be accepted and the contract awarded as that Company's paint has always been satisfactory.  
On motion of Councilman Hoyt, seconded by Councilman Pursel, a resolution was unanimously adopted accepting the bid of the Sterling Paint Co. and authorizing the contract.
21. Bids for Furnishing Election Supplies.  
That last week three bids were received for furnishing 262 sets of Election Supplies to be used at the Special Municipal Election to be held on Tuesday, April 30, 1946, and that all bids were identical, and recommending that the bid of Radston's, bidding \$7.25 per set, or approximately \$1,900, be accepted and the contract awarded. He stated that one bid was from an Oakland concern and that the other one was from the Gazette Press, but last year the bid of the Gazette Press was accepted and it is desirable to rotate the business.  
On motion of Councilman Pursel, seconded by Councilman Mork, a resolution was unanimously adopted accepting the bid of Radston's and authorizing the contract.
22. Specifications for Furnishing an Automobile Suitable for a Fire Chief's Car.  
That specifications have been prepared for furnishing one new five passenger, four door sedan, with estimated curb weight of not less than 3,950 pounds, and an eight cylinder motor, suitable for use as a Fire Chief's car, and recommending they be adopted and the Clerk directed to advertise for bids to be received up to 10:00 a.m., Wednesday, April 17, 1946. He further stated that the specifications have been prepared so that Buick, Lincoln, Packard and Nash cars will meet the specifications.  
On motion of Councilman Hoyt, seconded by Councilman Pursel, a resolution was unanimously passed adopting the specifications and directing the Clerk to advertise for bids.
23. Specifications for the Furnishing and Installation of Pump Systems at San Pablo Playground and Keith Avenue, Near Euclid Avenue.  
That specifications have been prepared for the furnishing and installation of pump systems at San Pablo Playground and at Keith Avenue, near Euclid Avenue, and recommending they be adopted and the Clerk directed to advertise for bids to be received up to 10:00 a.m., Wednesday, April 17, 1946. He further stated the San Pablo Playground installation is to make use of the well that is located on this property as a source of water to be used in sprinkling the playground area, and the Keith Avenue installation is to be a part of the program instituted by the Public Works Department in the drainage of the slide area.  
On motion of Councilman Pursel, seconded by Councilman Beckley, a resolution was unanimously passed adopting the specifications and directing the Clerk to advertise for bids.

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24. Request of Maurice D. and Mary J. Castle for a Temporary Nonconforming Permit.

That a request has been received from Maurice D. and Mary J. Castle for a temporary nonconforming permit to allow additional living accommodations at 2727 Russell Street, in a single-family district. He stated that this request is covered by Ordinance No. 2519-N.S., as amended by Ordinance No. 2608-N.S., which permits nonconforming uses in residential areas for additional living accommodations, and that it is necessary for the property owners to sign an agreement agreeing to restore the property to the restricted use as required by the zoning law, and such permit shall be good until six months after the cessation of hostilities. He stated that the Chief Building Inspector has investigated this request and recommends the permission be granted, provided that the dwelling shall revert to a single-family dwelling when the permit expires, and that all necessary permits be obtained from the Building Department. He concurred in the recommendation, and on motion of Councilman Hoyt, seconded by Councilman Mork, a resolution was unanimously adopted granting the temporary nonconforming permit and authorizing an agreement with the owners of the property.

25. Request of the Pacific Paint & Varnish Co. for an Extension of the Spur Track on Property Located between Cedar and Virginia Streets, and from Fourth Street to Third Street.

That a request has been received from the Pacific Paint & Varnish Co. for an extension of the spur track on its property located between Cedar and Virginia Streets, and from Fourth Street to Third Street, along the Southern Pacific right of way, which would permit the south entry to the spur track to cross Virginia Street and Third Street, and the north entry to cross Cedar and Third Streets. He stated that after an investigation City Engineer Goodridge recommends the permission be granted, with the usual conditions covering a spur track, and provided the track is graded downward to the north on a 2% grade from its existing elevation opposite the loading door on the west side of the Company's building, at a point 30 feet south of the south line of Cedar Street, and that provision is made for resurfacing on Cedar Street, each side of this spur track, to eliminate any pool of water and any sudden change of grade in the profile along the center line of Cedar Street. He concurred in the above recommendation, and on motion of Councilman Mork, seconded by Councilman Hoyt, a resolution was unanimously adopted granting a revocable permit to the Pacific Paint & Varnish Co. to extend the spur track on its property located between Cedar and Virginia Streets, and from Fourth Street to Third Street, along the Southern Pacific right of way, under certain conditions.

26. Establishing Rules and Regulations for the Operation of the Berkeley Harbor, and repealing Ordinance No. 2281-N.S.

That a Bill has been prepared establishing rules and regulations for the operation of the Berkeley Harbor, and repealing Ordinance No. 2281-N.S., and recommending it be adopted. He stated that the new Ordinance has been prepared because changes appear in nearly every Section of the old Ordinance, No. 2281-N.S., although most of the changes are slight. However, in the Ordinance the word "yacht" has been removed and it is called Berkeley Harbor. Throughout the Ordinance where the word "vessel" was used, the word "boat" has been substituted; that the only substantial change was made in Section 11, which provides that when the charges for berth rental, anchorage or wharf storage, or any other proper charge, on any boat is delinquent for two months or more, the Harbormaster is empowered to sell any boat at public auction, and that at any time when the berth rental charges for any boat are delinquent, the Harbormaster may declare the berth vacant and re-rent the berth.

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On motion of Councilman Pursel, seconded by Councilman Hoyt, the Bill establishing rules and regulations for the operation of the Berkeley Harbor, and repealing Ordinance No. 2281-N.S., was unanimously passed to print.

27. Amending Section 19 of Ordinance No. 2282-N.S.

That a Bill has been prepared amending Section 19 of Ordinance No. 2282-N.S., regulating the traffic on the Municipal Pier, Yacht Harbor, Aquatic Park, et cetera, and recommending it be adopted. He stated that in the preparation of the Ordinance, establishing the rules and regulations for the Berkeley Harbor, it was found that Ordinance No. 2282-N.S. needed to be corrected in Section 19; that the proposed correction is purely technical and merely eliminates a few unnecessary words.

On motion of Councilman Mork, seconded by Councilman Pursel, the Bill amending Section 19 of Ordinance No. 2282-N.S. was unanimously passed to print.

28. Request of Phi Mu Sorority for a Variance to the Established Setback Area at 2722 Durant Avenue.

That a request has been received from Phi Mu Sorority (W. H. Ratcliff, Architect) to encroach to within seven feet of the established setback area at 2722 Durant Avenue, in order to construct an open porch portico as part of the modernization and beautification of the present building. He stated that the Secretary of the Planning Commission and Building Inspector Bird recommend the permission be granted, provided all permits are obtained from the Building Department and all work complies with the building regulations.

On motion of Councilman Hoyt, seconded by Councilman Mork, a resolution was unanimously adopted granting the variance to the established setback area at 2722 Durant Avenue.

RESOLUTIONS:

The following resolutions were on motions made and seconded, adopted by the votes as below shown:

29. RESOLUTION NO. 28,401-N.S.

Referring to the City Manager for compilation and report the bid received for furnishing welded steel pipe to the City for the balance of the fiscal year 1945-46. Ayes - Councilmen Beckley, Hoyt, McKee, Mork, Pursel and President Robertson. Noes - none. Absent - Councilmen Corley, Martin and Parce.

30. RESOLUTION NO. 28,402-N.S.

Continuing the hearing on the Closing and Vacation of the unnamed street in the Batchelder Tract and now known as Fernwald Avenue, in the City of Berkeley, to Wednesday, June 5, 1946. Ayes - Councilmen Beckley, Hoyt, McKee, Mork, Pursel and President Robertson. Noes - none. Absent - Councilmen Corley, Martin and Parce.

31. RESOLUTION NO. 28,403-N.S.

Granting permission to Mrs. Henrietta T. Austin to utilize the property known as 2430 Durant Avenue for Medical Building purposes, under certain conditions. Ayes - Councilmen Beckley, Hoyt, McKee, Mork, Pursel and President Robertson. Noes - none. Absent - Councilmen Corley, Martin and Parce.

32. RESOLUTION NO. 28,404-N.S.

Referring to the City Manager the communication received from Lee Nutting protesting against the practice of the Key System Motor Coach Operators driving directly across the intersections ahead of the "F" trains. Ayes - Councilmen Beckley, Hoyt, McKee, Mork, Pursel and President Robertson. Noes - none. Absent - Councilmen Corley, Martin and Parce.

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33. RESOLUTION NO. 28,405-N.S.  
Authorizing the City Manager to make the proper arrangements with the American Red Cross for the storage and maintenance of emergency supplies in connection with the Disaster Preparedness Plan. Ayes - Councilmen Beckley, Hoyt, McKee, Mork, Pursel and President Robertson. Noes - none. Absent - Councilmen Corley, Martin and Parce.
34. RESOLUTION NO. 28,406-N.S.  
Referring to the Conference Session the communication received from Ralph R. Eltse protesting against a proposed license tax to be imposed upon all types of business and professional activities in Berkeley. Ayes - Councilmen Beckley, Hoyt, McKee, Mork, Pursel and President Robertson. Noes - none. Absent - Councilmen Corley, Martin and Parce.
35. RESOLUTION NO. 28,407-N.S.  
Going on record as heartily endorsing the work started by the United States Employment Service and Industry relative to the campaign for jobs for veterans, and authorizing Councilman McKee to contact the Economic Development Committee of the Citizens' Postwar Advisory Committee and to follow through in this matter. Ayes - Councilmen Beckley, Hoyt, McKee, Mork, Pursel and President Robertson. Noes - none. Absent - Councilmen Corley, Martin and Parce.
36. RESOLUTION NO. 28,408-N.S.  
Opening the Municipal Pier on Saturday, April 6, 1946. Ayes - Councilmen Beckley, Hoyt, McKee, Mork, Pursel and President Robertson. Noes - none. Absent - Councilmen Corley, Martin and Parce.
37. RESOLUTION NO. 28,409-N.S.  
Amending Section 18c-16 of Resolution No. 24,564-N.S. Ayes - Councilmen Beckley, Hoyt, McKee, Mork, Pursel and President Robertson. Noes - none. Absent - Councilmen Corley, Martin and Parce.
38. RESOLUTION NO. 28,410-N.S..  
Authorizing the public auction of a secondhand 1940 Chevrolet Cab, and directing the Clerk to advertise. Ayes - Councilmen Beckley, Hoyt, McKee, Mork, Pursel and President Robertson. Noes - none. Absent - Councilmen Corley, Martin and Parce.
39. RESOLUTION NO. 28,411-N.S.  
Accepting the bid of the Lyon Storage & Moving Co. for furnishing 262 sets, more or less, of Polling Place Equipment and authorizing a contract therefor. Ayes - Councilmen Beckley, Hoyt, McKee, Mork, Pursel and President Robertson. Noes - none. Absent - Councilmen Corley, Martin and Parce.
40. RESOLUTION NO. 28,412-N.S.  
Accepting the bid of the Evans Construction Co. for driving Piles in the Berkeley Harbor and authorizing a contract therefor. Ayes - Councilmen Beckley, Hoyt, McKee, Mork, Pursel and President Robertson. Noes - none. Absent - Councilmen Corley, Martin and Parce.
41. RESOLUTION NO. 28,413-N.S.  
Accepting the bid of the Sterling Paint Co. for furnishing Traffic Paint to the City, for the balance of the fiscal year 1945-46, and authorizing the contract therefor. Ayes - Councilmen Beckley, Hoyt, McKee, Mork, Pursel and President Robertson. Noes - none. Absent - Councilmen Corley, Martin and Parce.

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42. RESOLUTION NO. 28,414-N.S.  
Accepting the bid of Radston's for furnishing 262 sets of Election Supplies and authorizing a contract therefor. Ayes - Councilmen Beckley, Hoyt, McKee, Mork, Pursel and President Robertson. Noes - none. Absent - Councilmen Corley, Martin and Parce.
43. RESOLUTION NO. 28,415-N.S.  
Adopting specifications for furnishing one, five passenger, four door sedan, suitable for a Fire Chief's car, and directing the Clerk to advertise for bids. Ayes - Councilmen Beckley, Hoyt, McKee, Mork, Pursel and President Robertson. Noes - none. Absent - Councilmen Corley, Martin and Parce.
44. RESOLUTION NO. 28,416-N.S.  
Adopting specifications for the furnishing and installation of Pump Systems at San Pablo Playground, and at Keith Avenue, near Euclid Avenue, and directing the Clerk to advertise for bids. Ayes - Councilmen Beckley, Hoyt, McKee, Mork, Pursel and President Robertson. Noes - none. Absent - Councilmen Corley, Martin and Parce.
45. RESOLUTION NO. 28,417-N.S.  
Granting a temporary nonconforming permit to Maurice D. and Mary Jane Castle for additional living accommodations at 2727 Russell Street, and authorizing an agreement with the owners of the property. Ayes - Councilmen Beckley, Hoyt, McKee, Mork, Pursel and President Robertson. Noes - none. Absent - Councilmen Corley, Martin and Parce.
46. RESOLUTION NO. 28,418-N.S.  
Granting a revocable permit to the Pacific Paint & Varnish Co. to extend, maintain and operate a spur track on Virginia and Third Streets, and on Cedar and Third Streets, under certain conditions. Ayes - Councilmen Beckley, Hoyt, McKee, Mork, Pursel and President Robertson. Noes - none. Absent - Councilmen Corley, Martin and Parce.
47. RESOLUTION NO. 28,419-N.S.  
Granting permission to Phi Mu Sorority to encroach on the established setback area at 2722 Durant Avenue, in order to construct a porch portico on the present structure. Ayes - Councilmen Beckley, Hoyt, McKee, Mork, Pursel and President Robertson. Noes - none. Absent - Councilmen Corley, Martin and Parce.
48. RESOLUTION NO. 28,420-N.S.  
Adopting the list of Bills and Claims, dated March 30, 1946. Ayes - Councilmen Beckley, Hoyt, McKee, Mork, Pursel and President Robertson. Noes - none. Absent - Councilmen Corley, Martin and Parce.

BILLS:

The following Bills were read and ordered passed to print on motions made, seconded and carried by the following votes:

49. A Bill entitled: "Reclassifying a certain portion of the City of Berkeley from Class I to Class VI, as defined by Ordinance No. 2180-N.S." Ayes - Councilmen Beckley, Hoyt, McKee, Pursel and President Robertson. Noes - Councilman Mork. Absent - Councilmen Corley, Martin and Parce.

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50. A Bill entitled: "Reclassifying a certain portion of the City of Berkeley from Class "A", as defined by Ordinance No. 2181-N.S., to Class I, as defined by Ordinance No. 2180-N.S." Ayes - Councilmen Beckley, Hoyt, McKee, Mork, Pursel and President Robertson. Noes - none. Absent - Councilmen Corley, Martin and Parce.
51. A Bill entitled: "Amending Sections 15 and 17 of Ordinance No. 2686-N.S., entitled: 'The Annual Appropriation Ordinance based upon the budget for the fiscal year 1945-46, submitted by the City Manager and passed by the Council'." Ayes - Councilmen Beckley, Hoyt, McKee, Mork, Pursel and President Robertson. Noes - none. Absent - Councilmen Corley, Martin and Parce.
52. A Bill entitled: "Establishing rules and regulations for the operation of the Berkeley Harbor, and repealing Ordinance No. 2281-N.S." Ayes - Councilmen Beckley, Hoyt, McKee, Mork, Pursel and President Robertson. Noes - none. Absent - Councilmen Corley, Martin and Parce.
53. A Bill entitled: "Amending Section 19 of Ordinance No. 2282-N.S., entitled: 'Regulating the use of and traffic upon that certain pier commonly known and designated as the Berkeley Municipal Pier, and in the Berkeley Yacht Harbor, Aquatic Park, John Hinkel Park, Codornices Park, and the City of Berkeley Garbage Dump, and repealing Ordinances Nos. 1590-N.S. and 2171-N.S.'." Ayes - Councilmen Beckley, Hoyt, McKee, Mork, Pursel and President Robertson. Noes - none. Absent - Councilmen Corley, Martin and Parce.

On motion of Councilman Mork, seconded by Councilman McKee, the meeting adjourned, upon unanimous consent.

  
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 President of the Council.

ATTEST:   
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 City Clerk and Clerk of the  
 Council.