

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

of the  
PORT OF OAKLAND

Held on Monday, January 3, 1938, at the hour of 3:30 p.m., in the office of the Board, Room 75, Grove Street Pier, due written notice of such meeting having been given members of the Board.

Commissioners present: Colbourn, Fisher, Pardee, and President  
McElroy -4-

Commissioner absent: Roland, on leave -1-

The Port Manager, Port Attorney, and Assistant Chief Engineer were also present.

The minutes of the regular meeting of December 27, 1937, were approved, as read, and adopted.

Communication from the Post-Enquirer, requesting the placing of an advertisement of the Port of Oakland, together with descriptive articles, in its annual "Promotion Edition" of February 9 at a cost of \$317.52 was read, and the Port Manager authorized to arrange for the advertisement.

Communication from the American Concrete & Steel Pipe Co., advising that they have removed all of their equipment from the property formerly occupied by them at the foot of Nineteenth Avenue, and are vacating the premises as of December 31, 1937, was filed.

Communication from the American Trust Co. listing the escrow accounts with J. S. Kimball Co., E. S. Collins, Larue Wharf & Warehouse Co. and Smith Lumber Co., which are held jointly with the Board, and advising that checks drawn on the accounts are in agreement with amounts on deposit and that the accounts are now closed, was filed. In this connection, the Port Manager reported that \$4959.00, due the Board from the escrow account, had been deposited in the Port funds with the City Treasurer.

Communication from the Civil Service Board, submitting eligible lists for positions of Dock Clerk, Dock Laborer, Dock Lumber Tally Man, and Lumber Carrier Operator, was read and resolution later passed ratifying, confirming and approving the appointments of employees from the lists as submitted. The Port Manager reported that, due to adverse reports, E. J. Alvers, who passed number fourteen on the list, was not recommended for appointment, and after discussion, the Board adopted the recommendation of the Port Manager.

Copy of letter from the Port Manager to the General Engineering & Dry Dock Co., offering lease of 9.25 acres of waterfront land at an annual rental of \$5400.00, was filed.



Communication from John L. Cousins, Advertising Flyer, requesting payment of damage to his airplane by Works Progress Administration workers at the Oakland Municipal Airport, in the amount of \$50.00, was read and referred to the Port Manager for investigation and recommendation.

Communication from the Port Manager, submitting cost of occupancy of hangars at the Oakland Municipal Airport under new rates, made effective January 1, 1938, was read. In connection with this matter, a delegation representing the various private operators occupying space in the hangars at the Airport met with the Board and stated that they were not in a position to pay any increase in rent at this time, as there has been little improvement in their business which would warrant a higher rental. They indicated that the improvements now being made on the Airport field at large cost were of little value to them, although they were required by the transport plane operators. The Board advised the airport tenants that the increase in rentals was not being made on account of the field improvements, which are capital expenditures, but to partially meet the increased operating costs which were becoming increasingly heavy. President McElroy advised the representatives present that further consideration would be given the matter.

Communication from the Works Progress Administration submitting for the Board's approval sanctioned Project No. 8373 for painting miscellaneous Port structures not included in specific projects, together with the Port Manager's letter recommending the project, was read and resolution later passed authorizing the carrying out of the project.

Communication from Raymond M. Brown, Assistant Terminal Superintendent, tendering resignation effective February 15, 1938, and requesting vacation with pay from February 1 to February 15, 1938, was read and resignation accepted. The Port Manager explained that Mr. Brown was resigning to undertake the contract hauling and handling of Libby, McNeill & Libby's tonnage from their warehouse to the terminal and that the position of Assistant Superintendent made vacant by the resignation would be filled from Civil Service list. Mr. Brown's request for fifteen days vacation was considered and a leave of seven days was granted.

Communication from Julius Henry Cohen, Counsel for New York Port Authority, advising as to broad issues raised by government in its claims to the title of submerged lands, was filed.

Communication from the City Attorney of Long Beach, advising of claims raised on behalf of State of California to ownership of tidelands, despite grants to municipalities, was filed.

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MARINE TERMINAL ASSOCIATION  
SAN FRANCISCO

Communication from the Port Attorney, reviewing claims of State to ownership of tidelands, was filed.

Communication from Agnes Machen, Billing Clerk, requesting leave of absence on account of sickness, together with physician's certificate, was read and resolution later passed granting leave with three-quarters pay, in accordance with the Civil Service rules.

Communication from Richard Horrocks, Port Maintenance Laborer, requesting extension of sick leave, together with physician's certificate, was read and resolution later passed granting leave with three-quarters pay in accordance with the rules of the Civil Service Board.

Communication from the Oakland Association of Insurance Agents advising that rate in Board's fire insurance policies will not be affected if Board releases the Southern Pacific Company from liability for fire caused by negligence of its employees, in switching agreement at the Outer Harbor Terminal, was read, and it was the consensus of the Board that inasmuch as the Port is protected under existing fire insurance policies, the request of the Southern Pacific Company to omit from the switching agreement the liability clause could be granted, and the Port Attorney was directed to advise the Southern Pacific Company to this effect.

Communication from W. A. Patterson, President of the United Air Lines, advising that Mr. J. A. Herlihy, their Director of Engineering and Research, will confer with the Port staff in respect to their future requirements for space at the Oakland Municipal Airport, was filed. The Port Manager stated that he had been advised by Mr. Richerson, Division Superintendent, that Mr. Herlihy would be in Oakland during the coming week.

Communication from the League of California Municipalities requesting an expression as to our attitude toward resolution on Airport development, as passed at American Municipal Association meeting at Chicago on October 15, 1937, was read, and the Port Manager directed to advise the League that its attitude was favorable toward the resolution with the understanding that the terminal airports, such as the Oakland Municipal Airport, would benefit in proportion to the activities and uses to which the airport is being put.

Mr. H. C. Cantelow, Secretary-Manager of the Pacific Coast Conference, and Chairman of the Marine Terminal Association of Central California, met with the Board and discussed matters pertaining to free time, wharf demurrage and wharf storage. Mr. Cantelow stated that he had had more than forty years experience in the steamship business and that he had, a few months ago, become associated with the Marine Terminal Association of Central California, which association includes private terminals located in Oakland, Alameda, San Francisco and Rich-

mond. In respect to free time, Mr. Cantelow stated that the free time of ten days in all trade routes which is allowed at East Bay terminals is not necessarily required and has a tendency to cause congestion at such terminals as the Howard Terminal and the Encinal Terminal. Comparisons were made between the free time allowed at the East Bay Terminals and the free time allowed at other Pacific Coast ports.

Mr. Cantelow stated that wharf demurrage rates at Pacific Coast ports, other than East Bay ports, were made as penalty rates so as to force cargo off of the wharf properties. He said that at the assigned piers at San Francisco the steamship companies desired to clear their space as promptly as possible and, therefore, the high wharf demurrage rates were used to force the cargo off the piers; that when goods are permitted to remain in storage, however, at the assigned piers, special rates which are known as "bulkhead demurrage" rates are applied; further, that at the East Bay terminals no penalty rates are provided, which has the tendency to cause the retention of goods on terminal properties for a longer time than the free-time period.

In comparing the provisions and rates for wharf storage at the respective ports and terminal facilities, Mr. Cantelow stated that at San Francisco, storage rates were named to apply at the two facilities which are operated as terminals, namely the State Terminal and the Golden Gate Terminal. At the State Terminal, he said, handling charges are assessed in addition to storage charges, although he admitted in answer to an inquiry from Mr. Fisher, that the handling charges were not always assessed. These handling charges, however, he stated, do not apply at the Golden Gate Terminal.

He stated that at the East Bay Terminals no handling charges are assessed and storage rates are named so as to attract cargo into storage on the terminal properties instead of forcing it into warehouse facilities. It was Mr. Cantelow's view that the revenue for storage at the East Bay terminals could be materially increased.

In general, Mr. Cantelow stated that the charges assessed against the cargo remaining on terminal property at other ports after the free time period were considerably higher than those assessed at the East Bay terminal.

It was Mr. Cantelow's opinion that the steamship companies are desirous of having the storage rates increased at the East Bay terminals at same might assist them in keeping the assigned piers at San Francisco free of storage cargo.

Mr. Cantelow furnished all of the members of the Board and others present with a copy of a pamphlet which he had prepared, entitled "A Study of East Bay Demurrage and Storage Charges". Mr. Cantelow was advised by the Board that his



statements and suggestions would be taken under advisement, and that a further study of the matter would be made.

It was reported that Mr. J. C. Johnson, of S. T. Johnson Co., had conferred with the Port Manager in respect to a proposed lease at Nineteenth Avenue and Livingston Street and indicated that he will lay claim to a portion of escrow account of Pacific Steel & Wire Co. for rentals collected from The Texas Company.

The Port Attorney reported that the Maritime Commission had set the re-hearing of the San Diego Oriental rate case for January 27, 1938, and the Board directed the Port Attorney to represent the Board at this hearing.

It was reported that the Maritime Commission had set the hearing of Stockton European cases for February 7, 1938 in San Francisco, and the Board directed that the Port be properly represented at the hearing.

The Port Attorney reported that Counsel representing the Pacific Steel & Wire Co. suggested that it might be possible to effect a settlement of the issues pertaining to the delivery of the subrentals collected by such company, provided the city would absorb the city taxes which have been mistakenly paid in by the company.

In respect to the Naval Supply Base matters, the Port Manager stated that Charles Edison, Acting Secretary of the Navy, had, on December 29, 1937, advised Chairman Walsh of the Senate Naval Affairs Committee, that the Oakland site was recommended as far superior to the India Basin site, which is not satisfactory; further, that editorials and news items appear in all papers favoring unified support for Oakland supply base, and that Joseph M. Parker, General Manager of the Oakland Chamber of Commerce had reported that it was rumored that effort was being made to reduce the Oakland Naval Supply Base appropriation of fifteen million dollars and that protest had been wired to Congressman Tolan.

The Port Manager reported that, in connection with the location of an appraiser's store at the Grove Street Pier, he had conferred with Mr. O'Reilly, Deputy Collector for Oakland, in respect to the making of request for space, and that Mr. O'Reilly had informed him that a formal offer should first be made by the Board. The Port Manager was directed to offer to the Collector of Customs space in the Grove Street Pier for the establishment of an Appraiser's Store.

The Port Manager reported that Mr. Armes, President of the General Engineering and Dry Dock Co., had indicated on the telephone that the quotation of \$5400 per year for the lease of port property in connection with their plant at the foot of Fifth Avenue, appeared satisfactory, but that he would definitely advise the Board in respect thereto in the immediate future.

The Port Manager reported that the twelve-ton Road Roller offered by

Eaton & Smith for \$900.00, which was the lowest bid received, appeared satisfactory on preliminary investigation but that a five days' test of the roller was being held at the Airport prior to recommendation of purchase.

The Port Manager reported as follows on the status of certain funds as of December 31, 1937:

<u>Harbor Maintenance and Improvement Fund (No. 226)</u>	
Unencumbered Cash Balance as of December 31, 1937.....	\$ 50,844.11
Set up in Special Funds 220 and 222.....	95,000.00
Total Unencumbered Cash in all revenue funds as of (Subject to adjustment) December 31, 1937.....	145,844.11
Total Unencumbered Cash in all revenue funds as of November 30, 1937.....	129,732.85
<u>1925 Oakland Harbor Improvement Fund (No. 567)</u>	
Cash Balance as of December 31, 1937.....	197,034.15

The report of the Port Manager on operations at the Oakland Municipal Airport for the month of December 1937, showing an average storage of ninety-eight airplanes, was filed.

The report of the Auditing Committee on claims and demands, was adopted.

The following resolutions were introduced and passed by the following vote:

AYES: Commissioners Colbourn, Fisher, Pardee, and President  
McElroy -4-

NOES: None

ABSENT: Commissioner Roland -1-

"RESOLUTION NO. 4495

RESOLUTION APPROVING AND ALLOWING  
CERTAIN CLAIMS AND DEMANDS.

RESOLVED: That the following claims and demands, having been approved by the Auditing Committee, be and the same are hereby approved and allowed by the Board of Port Commissioners and the Auditor is authorized to draw his warrant for the same out of the proper Fund:

HARBOR MAINTENANCE AND IMPROVEMENT FUND:

American Bitumuls Company	\$ 35.02
Geo. R. Borrmann Steel Company	192.52
California Pottery Company	.76
City of Oakland - Department of Streets	359.70
L. M. Clough Co.	285.42
Cochran & Celli	2.01
Henry Cowell Lime and Cement Co.	34.03
East Bay Glass Company	3.33
East Bay Municipal Utility District	561.16
The Electric Corporation	5.42
A. J. Glesener Co.	9.09
Golden Gate Sheet Metal Works	65.62
Greenwood Printers Ltd.	69.84
Heafey-Moore Co., Inc.	754.99
E. H. Huebbe	8.24
Lee J. Immel	208.00
Ed. Jones & Co.	1.80
Kling-Dawers Stationery Co., Inc.	3.03
Geo. A. Kreplin Co.	8.23
Laher Spring and Tire Service	13.14
Melrose Lumber & Supply Co.	22.72
Moore Dry Dock Company	252.35
National Lead Company	46.46
Oakland Air Port Transportation Service	200.00
Oakland Association of Insurance Agents	375.00
Oakland Battery Co.	19.98

Oakland Plumbing Supply Co.	36.74
Oakland Wood Cabinet Co.	12.88
Pacific Gas and Electric Company	1,253.66
The Pacific Telephone and Telegraph Company	23.00
Pacific Tool and Supply Company	14.36
Joseph Pierotti & Co.	.88
Printing Plates Incorporated	4.99
Ransome Company	182.56
Richmond Daily Independent	7.20
Rio Grande Oil, Inc.	75.00
San Leandro Rock Company	121.77
Sentinel Sanitary Supply Company	4.04
Shell Oil Company	27.95
Shipping Register	40.00
B. Simon Hardware Co.	29.39
Smith Brothers	40.82
Southern Pacific Company	13.00
Straub Manufacturing Co., Inc.	4.65
Clyde Sunderland	7.21
Sunset-McKee Salesbook Co.	116.55
Tide Water Associated Oil Company	12.32
Underwood Elliott Fisher Company, Inc.	11.50
Wailles Dove-Hermiston Corporation	92.73
E. C. Wenger Company	43.79
Western Door & Sash Company	50.26
Western Iron and Metal Co.	169.58
E. K. Wood Lumber Co.	242.85
Zellerbach Paper Company	18.41
	<u>18.41</u>
	\$6,195.95"

"RESOLUTION NO. 4496

RESOLUTION PROVIDING FOR EXTENSION OF  
LICENSE AGREEMENT WITH HOWARD TERMINAL.

BE IT RESOLVED that the Port Manager be and he is hereby authorized to enter into an agreement with Howard Terminal, a California corporation, as Licensee, providing for the extension of that certain agreement between Licensee and the Port, dated November 18, 1935, as thereafter modified, covering the occupancy by Licensee of the quay wall and quay wall shed near the foot of Market Street, for a further period of one (1) year commencing December 1, 1937, upon and subject to all the terms, covenants and conditions contained in the agreements mentioned."

"RESOLUTION NO. 4497

RESOLUTION AWARDING CONTRACT  
FOR FURNISHING AND DELIVERING  
CRUSHER RUN ROCK TO OAKLAND  
MUNICIPAL AIRPORT.

RESOLVED that the contract for the furnishing and delivering of 10,000 tons, more or less, of crusher run rock to Oakland Municipal Airport be and the same is hereby awarded to L. M. Clough Co., a copartnership, in accordance with the terms of its bid, filed December 27th, 1937.

BE IT FURTHER RESOLVED that, pursuant to the specifications, the certified check accompanying the bid of said Company shall be held as bond as a guarantee of the furnishing and delivering of said rock. At and upon such delivery, said certified check shall be returned to said Company.

BE IT FURTHER RESOLVED that the other bid received for said contract be and it is hereby rejected and the check accompanying the same shall be returned to the proper person."

"RESOLUTION NO. 4498

RESOLUTION RATIFYING, CONFIRMING AND  
APPROVING CERTAIN REGULAR APPOINTMENTS  
IN PORT DEPARTMENT.

RESOLVED that the following regular appointments, effective as of  
January 1, 1938, are hereby approved by this Board:

OTTO P. BUHMAN, Dock Clerk (Port Ordinance No. 222, Section  
8.07) - e. \$160.00 per month;

FRANK O. SCHULLERTS, Dock Clerk (Port Ordinance No. 222,  
Section 8.07) - e. \$160.00 per month;

OTHO H. CASE, Dock Clerk (Port Ordinance No. 222, Section 8.07)  
e. \$160.00 per month;

WILLIAM F. BRAY, Dock Clerk (Port Ordinance No. 222, Section  
8.07) - e. \$160.00 per month;

LEONARD M. STEVENS, Dock Clerk (Port Ordinance No. 222,  
Section 8.07) - i. \$180.00 per month;

FRANK K. JACKSON, Dock Clerk, (Port Ordinance No. 222,  
Section 8.07) - i. \$180.00 per month;

RUSSELL L. MACDONALD, Dock Clerk (Port Ordinance No. 222,  
Section 8.07) - e. \$160.00 per month;

THORWALD A. LUND, Dock Clerk (Port Ordinance No. 222,  
Section 8.07) - e. \$160.00 per month;

ROY J. WELLS, Dock Clerk (Port Ordinance No. 222, Section 8.07)  
- i. \$180.00 per month;

CHARLES S. McGEORGE, Dock Clerk (Port Ordinance No. 222,  
Section 8.07) - e. \$160.00 per month;

WILLIAM M. SEELY, Dock Clerk (Port Ordinance No. 222,  
Section 8.07) - e. \$160.00 per month;

CHARLES A. CLOUGH, Dock Clerk (Port Ordinance No. 222,  
Section 8.07) - e. \$160.00 per month;

ROBERT L. WESTDAHL, Dock Clerk (Port Ordinance No. 222,  
Section 8.07) - e. \$160.00 per month;

ARTHUR L. MURRAY, Dock Clerk (Port Ordinance No. 222,  
Section 8.07) - e. \$160.00 per month;

JAMES W. COYNE, Dock Clerk (Port Ordinance No. 222,  
Section 8.07) - e. \$160.00 per month;

GEORGE W. HAYSELDEN, Dock Clerk (Port Ordinance No. 222,  
Section 8.07) - e. \$160.00 per month;

JOHN F. FITZGERALD, Dock Clerk (Port Ordinance No. 222,  
Section 8.07) - e. \$160.00 per month;

L. J. B. JOHNSON, Dock Clerk (Port Ordinance No. 222,  
Section 8.07) - i. \$180.00 per month;

CECIL E. MCGINNIS, Dock Clerk (Port Ordinance No. 222,  
Section 8.07) - i. \$180.00 per month;

ALBERT E. SWAN, Dock Laborer (Port Ordinance No. 222,  
Section 8.13) - \$.80 per hour straight time and \$1.20 per  
hour overtime;

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BENJAMIN T. DOWELL, Dock Laborer (Port Ordinance No. 222, Section 8.13) - \$.80 per hour straight time and \$1.20 per hour overtime;

ERNEST D. GREWER, Dock Laborer (Port Ordinance No. 222, Section 8.13) - \$.80 per hour straight time and \$1.20 per hour overtime;

WILLIAM F. MELLOR, Dock Laborer (Port Ordinance No. 222, Section 8.13) - \$.80 per hour straight time and \$1.20 per hour overtime;

DONALD C. JONES, Dock Laborer (Port Ordinance No. 222, Section 8.13) - \$.80 per hour straight time and \$1.20 per hour overtime;

GODFREY WATKINS, Dock Laborer (Port Ordinance No. 222, Section 8.13) - \$.80 per hour straight time and \$1.20 per hour overtime;

FRANK PROVENZANO, Dock Laborer (Port Ordinance No. 222, Section 8.13) - \$.80 per hour straight time and \$1.20 per hour overtime;

CURTIS F. BOLTON, Dock Laborer (Port Ordinance No. 222, Section 8.13) - \$.80 per hour straight time and \$1.20 per hour overtime;

RAGNER BERG, Dock Laborer (Port Ordinance No. 222, Section 8.13) - \$.80 per hour straight time and \$1.20 per hour overtime;

ROY SCOTT, Dock Laborer (Port Ordinance No. 222, Section 8.13) - \$.80 per hour straight time and \$1.20 per hour overtime;

TAYLOR R. MEANS, Dock Laborer (Port Ordinance No. 222, Section 8.13) - \$.80 per hour straight time and \$1.20 per hour overtime;

F. C. DAVIS, Dock Lumber Tally Man (Port Ordinance No. 222, Section 8.12) - c. \$170.00 per month;

RALPH BEVIS, Lumber Carrier Operator (Port Ordinance No. 222, Section 8.19) - \$.825 per hour straight time and \$1.22 per hour overtime."

"RESOLUTION NO. 4499

RESOLUTION RATIFYING, CONFIRMING  
AND APPROVING LEAVE OF ABSENCE  
GRANTED AGNES MACHEN, BILLING CLERK.

RESOLVED that the leave of absence granted Agnes Machen, Billing Clerk, (Port Ordinance No. 222, Section 8.15) for a period of seven days commencing December 27th, 1937, is hereby ratified, confirmed and approved by this Board, with compensation at the rate of 75% of the salary payable such employe, as provided by the rules of the Civil Service Board."

"RESOLUTION NO. 4500

RESOLUTION EXTENDING LEAVE  
OF ABSENCE GRANTED R. HORROCKS  
ON ACCOUNT OF ILLNESS.

RESOLVED that the leave of absence heretofore granted R. Horrocks, Port Maintenance Laborer, (Port Ordinance No. 222, Section 5.03) by Resolution 4481 of this Board is hereby extended for a period of 12 working days commencing January 3, 1938, with compensation at the rate of 75% of the salary payable such employe, as provided by the rules of the Civil Service Board."

"RESOLUTION NO. 4501

RESOLUTION APPROVING WORKS PROGRESS  
ADMINISTRATION PROJECT FOR PAINTING  
MISCELLANEOUS PORT STRUCTURES OF  
PORT OF OAKLAND, PROJECT PROPOSAL  
NO. 0803-803 - WORK PROJECT NO. 8373.

RESOLVED that the plans and specifications and estimates of cost for the painting of miscellaneous Port structures not included in Works Progress Administration projects heretofore approved, submitted by the Port Manager to the Works Progress Administration under Project Proposal No. 0803-803, and approved by said Works Progress Administration as Work Project No. 8373, and for which the Works Progress Administration has allotted funds in the amount of \$9890, be and the same are hereby approved by this Board, and the Port Manager is hereby authorized and directed to acquire the necessary materials and equipment and provide supervision for said work, the estimated cost thereof being \$1426.

BE IT FURTHER RESOLVED that as each respective item of said materials and equipment is less than \$1,000 in amount, said materials may be purchased in the open market."

ADJOURNED.

  
S E C R E T A R Y

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REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

of the  
PORT OF OAKLAND

Held on Monday, January 10, 1938, at the hour of 3:30 p.m., in the office of the Board, Room 75, Grove Street Pier, due written notice of such meeting having been given members of the Board.

Commissioners present: Colbourn, Fisher, Pardee, Roland and  
President McElroy -5-

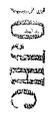
Commissioners absent: None

The Port Manager, Port Attorney, and Assistant Chief Engineer were also present.

The minutes of the regular meeting of January 3, 1938 were read, approved, and adopted.

Communication from Congressman John H. Tolan, enclosing copy of letter sent Senator Walsh, Chairman Naval Affairs Committee, by Assistant Secretary of the Navy Charles Edison, advising that the India Basin site is not satisfactory and recommending the Oakland site for the Naval Supply Base, was filed.

Copy of the Port Manager's letter to U. S. Collector of Customs, Charles O. Dunbar, offering space in the Grove Street Pier for U. S. Appraisers' Store, was filed. In this connection the Port Manager stated that no word had, as yet, been received from Mr. Dunbar as to acceptance of the Board's offer.



Communication from the Port Manager recommending reduction of service charge on pig iron to American Hawaiian Steamship Co., due to change in tariff item, was read. The Port Manager explained that the service charge, as assessed on the 1120.33 tons handled, was at the rate of fifty cents per ton, whereas a change in tariff reduced this charge to  $32\frac{1}{2}\%$ , and a credit voucher in the amount of \$196.07 was due the American Hawaiian Steamship Company. The Board authorized the Port Manager to issue a credit voucher in this amount.

The Port Manager's Certificate of Completion of Daniel Contracting Co. for contract for furnishing crusher run rock for Airport runways, was filed.

Communication from E. S. Land, Acting Chairman, United States Maritime Commission, advising that instead of holding a hearing in Washington in respect to trade routes, the Commission will hold hearings in various ports, and has assigned Wednesday, February 2 for San Francisco and Oakland hearing, was read and the Board directed that the Port be properly represented at the February 2nd hearing.

Communication from the Port Attorney relative to compromise settlement of damage claim of Frank Schullerts, Dock Clerk, against Merchants Express Co., was read and the Board directed that settlement be made on the basis as recommended by the Port Attorney.

Communication from the Southern Pacific Company advising that the value of additional railroad tracks at Outer Harbor, as submitted by the Port Manager, is approved, was filed.

Communication from James S. Moore, Attorney for the Key System, advising that value of additional railroad tracks at the Outer Harbor, is approved, and requesting that the revised form of agreement incorporating the new track valuation be submitted to them, was read and the Port Attorney directed to submit revised form of agreement incorporating the new track valuation to both the Southern Pacific Company and Key System Ltd. with request that the agreements be executed by the railroad companies at the earliest possible opportunity.

Communication from Judge Chris B. Fox advising that the Bay Bridge Rod & Gun Club is incorporating and will enter into a lease for use of the sand island in accordance with the form submitted by the Port Attorney, was filed.

Communication from the Port Manager submitting data relative to tide lots adjacent and south of the Oakland Municipal Airport was read and the Port Manager and Port Attorney directed to further investigate the matter of acquiring the tide lots.

Communication from the Atchison, Topeka, and Santa Fe Railway advising it will entertain the settlement of the low tideline at Alice Street if the City

will eliminate the suggested provision for exchange of quit claim deed, was read and the Port Attorney was directed to give the matter consideration as to whether or not the Santa Fe's suggestion could properly be accepted.

Mr. H. W. B. Taylor, Executive Secretary, H. F. Vincent, Vice-President, James McNab, Manager, and Roscoe W. Jones, Attorney, representing the E. K. Wood Lumber Co., met with the Board and discussed the terms of rental for a lease of the area now occupied by their plant in Brooklyn Basin. Mr. Jones stated that proposal No. 3, as outlined to them at a previous conference with the Board, and as incorporated in report of the Port Manager to the Board under date of November 22, 1937, was acceptable provided that the rental be made \$400.00 per month instead of \$669.00, as set forth in the proposal. It was called to the attention of the E. K. Wood representatives that, while under this proposal the dockage and tolls were included in the total rental, it was the Board's past policy, which they desired to continue, to have the dockage and tolls paid separately from the rental. The Board then indicated that it would be agreeable to enter into a twenty-five year lease on the rental basis of \$400.00 per month, plus all dockage and tolls, with the other conditions of proposal No. 3 applying. After further discussion, Mr. Jones stated that they desired to give further consideration to the Board's amended proposal and would be pleased to again confer with the Board at its next meeting.

In respect to the East Shore Highway matter the Port Manager presented memorandum of conference held at the City Hall on January 4, at which time the Board members were present, which was filed. It was further reported that although requested by the City Manager to lay the matter over until its next meeting, the State Highway Commission, at its meeting of January 7, acted by resolution and fixed location of the East Shore Highway between Cypress Street and Fiftieth Avenue through the Brooklyn Basin area, and that through the Brooklyn Basin the highway was placed on the south side of the Southern Pacific right-of-way.

The Port Manager further reported that he had conferred with the U. S. Engineers in respect to the moving out of the pierhead line to compensate for the area required for the highway between Ninth and Nineteenth Avenues, and that Colonel Dorst, Captain Pond and Captain Gillen had indicated that they saw no objection to the change in harbor line provided it was shown that the location of the highway adjacent to the waterfront so curtailed the available space as to handicap the improvement of the port in this area.

The Port Manager reported that Joseph F. Kennedy, Chairman of the U.S. Maritime Commission had visited the bay area and that he had attended a luncheon

at the Bohemian Club in San Francisco on invitation of Reginald S. Laughlin, representing the Maritime Commission in San Francisco; further that Mr. Kennedy had announced that the Dollar Steamship subsidy will be continued for six months but that Congress will have to be requested to permit vessels of Panama Pacific and Grace Line to remain in trans-Pacific service, as this matter is out of control of the Maritime Commission and he expressed the hope of retention of liners in the intercoastal service as a defense measure. It was further reported that Mr. Kennedy had announced that hearing will be held on February 2 in San Francisco pertaining to subsidies of Oriental steamship lines and announced that this hearing is for both San Francisco and Oakland.

The Port Attorney reported that the Chamber of Commerce had filed copies of its petitions to intervene in Stockton European Steamship cases, which are to be heard on February 7, 1938.

The Port Attorney reported that the United Air Lines had supplied copies of complaint by Mrs. Osa Johnson whereby damages in the amount of \$224,000 are sought on account of crash of Western Air Express plane at Saugus, due, in part, to alleged faulty radio signals from Burbank Airport.

The Port Attorney reported that the El Dorado Oil Company had filed a twenty-seven page brief on wharf franchise issue, generally to the contention that the charter interminable franchise provisions control, and are not in practical effect applicable.

The Port Manager reported that conference had been held with representatives of occupants of house boats in the Brooklyn Basin area and that they agree to payment of \$5.00 per year for occupancy. In this connection, the Port Attorney presented a form of license agreement covering the occupancy on a month to month basis, which was approved.

The Port Manager stated that a conference would be held on January 11 with the United Air Lines' engineer in respect to their proposed plans for establishment of repair shops at Oakland Municipal Airport. Tentative revisions of the basic plan of the airport were presented, showing the proposed location of the future administration building, the movement of railroad tracks and other structures to accommodate the proposed improvements, as well as proposed future runways requiring additional tideland areas adjoining the airport on the south, which were reviewed and discussed.

The Port Manager reported that the employees of the Port had issued their first number of the "Port Reporter", and copies of this issue were presented to the Board members.

The Port Manager called the Board's attention to the \$30,000 item in

Rivers and Harbors appropriation for maintenance dredging in the Estuary, recommended by the U. S. Engineers, during the next fiscal year.

In connection with the offer of lease, which was mailed The Texas Co. on December 20, 1937, the Port Manager reported that he had, to date, received no response from the representatives of the Texas Co., but that he anticipated a further conference during the coming week in respect thereto.

Communication from San Diego requesting continuance of hearing of its case whereby it seeks Oriental steamship services, was filed.

In connection with the Atlas Imperial Diesel Engine Co.'s proposed lease, it was reported that Judge Donahue had requested further consideration be given to the amount of rental to be paid for the lease. After discussion it was the consensus of the Board that a fair rental figure for industrial property of this character should be at least 3/4¢ per square foot of covered area and that for the 94,700 square feet of buildings, the rental on this basis would amount to \$710.00 per month. The matter of insurance, which in a lease on this basis would be carried by the Port was mentioned and the amount of insurance was estimated at \$120.00 per year. The Board directed the Port Manager to advise Judge Donahue that it would be agreeable to enter into a lease on the 3/4¢ per square foot basis, and request his consideration in connection with the previous offer made by the Board to the representatives of the Atlas Imperial Diesel Engine Co. at a conference held on December 20, 1937.

The Port Manager reported as follows on the status of certain funds as of January 7, 1938:

<u>Harbor Maintenance and Improvement Fund (No. 226)</u>	
Unencumbered Cash Balance as of January 7, 1938.....	\$ 41,507.42
Set up in Special Funds 220 and 222.....	95,000.00
Total Unencumbered Cash in all revenue funds as of	
January 7, 1938.....	136,507.42
Total Unencumbered Cash in all revenue funds as of	
December 31, 1937.....	131,092.96
 <u>1925 Oakland Harbor Improvement Fund (No. 567)</u>	
Cash Balance as of January 7, 1938.....	197,034.15

The report of the Port Manager on progress of the Port during the month of December, 1937, and review of activities for the calendar year 1937, was filed.

The report of the Port Manager submitting comparative statement of condition of Harbor Maintenance and Improvement Fund for December and November, 1937, and December 1936, as prepared by the Chief Port Accountant, was filed.

The report of the Port Manager submitting comparative statement of accounts receivable for December and November, 1937, was filed.

The reports of the Auditing Committee on weekly pay rolls, and claims and demands, were adopted.

The following resolution was introduced and passed by the following

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vote:

AYES: Commissioners Colbourn, Fisher, Pardee, and President McElroy -4-  
NOES: None  
ABSENT: None  
NOT VOTING: Commissioner Roland -1-

"RESOLUTION NO. 4502

RESOLUTION APPROVING AND ALLOWING  
CERTAIN CLAIMS AND DEMANDS.

RESOLVED: That the following claims and demands, having been approved by the Auditing Committee, be and the same are hereby approved and allowed by the Board of Port Commissioners and the Auditor is authorized to draw his warrant for the same out of the proper Fund:

HARBOR MAINTENANCE AND IMPROVEMENT FUND:

American Bitumuls Company	\$	34.64
City of Oakland - Purchasing Department		7.80
Columbia Wood and Metal Preservative Co.		48.15
Henry Cowell Lime and Cement Co.		44.97
H. S. Crocker Company, Inc.		4.01
Milt Dohner		1.85
Dock Checkers Employers Association		885.04
East Bay Glass Company		6.06
The Electric Corporation		123.91
The Fox Press		34.51
Gilson Electrical Supply Co.		6.54
Goodhue Printing Company, Inc.		162.33
H. & M. C. Co., Inc.		6.70
Harvey Hanson		35.33
Heafey-Moore Co., Inc.		430.36
J. Hofert		25.50
Lee J. Immel		32.00
Industrial Equipment Company		3.95
International Business Machines Corporation		15.92
Johns-Manville Sales Corporation		10.30
Laird's Stationery		5.15
Lawton & Williams		12.41
Libby, McNeill & Libby		64.93
Maxwell Wholesale Hardware Company		80.49
Oakland Association of Insurance Agents		1.78
Oakland Plumbing Supply Co.		60.18
Pacific Electric Motor Co., Inc.		18.85
Pacific Tool & Supply Company		5.44
Phoenix Iron Works Inc.		143.17
Joseph Pierotti & Co.		1.10
The Post Enquirer		151.20
Postmaster, Oakland		135.68
Rhodes & Jamieson, Ltd.		24.72
Richfield Oil Corporation		13.15
Rio Grande Oil, Inc.		50.00
Schirrmacher Co.		15.47
Sentinel Sanitary Supply Company		5.35
Shell Oil Company		24.72
B. Simon Hardware Co.		11.37
Smith Brothers		1.52
State Electric Supply, Ltd.		27.19
The Tribune Publishing Co.		25.20
City of Oakland - City Hall		463.00
Geo. A. Attwood		37.12
A. C. Meadows		20.64
Thomas H. Moore		8.96
Geo. H. Nash		60.40
Harold Wiltermood		24.22
Daniel Contracting Company		8,695.81
L. M. Clough Company		689.46
Heafey-Moore Company		2,970.80
Ariss Knapp Company, Inc.		2,199.26

Pay Rolls - Administrative Department	\$ 2,087.50
" " - Airport	855.81
" " - Ninth Ave. Pier	480.87
" " - Engineering Department	2,250.50
" " - Grove and Market Street Piers	1,528.81
" " - Outer Harbor Terminal	4,623.48
" " - Traffic Department	1,487.50
" " - Maintenance Department	2,905.19
Port Revolving Fund - Misc.	362.67
	\$34,550.74"

The following resolutions were introduced and passed by the following vote:

AYES: Commissioners Colbourn, Fisher, Pardee, Roland, and President McElroy -5-

NOES: None

ABSENT: None

"RESOLUTION NO. 4503

RESOLUTION APPROVING WEEKLY PAY ROLLS, RATIFYING ALL HIRINGS AND EMPLOYMENTS THEREIN AND REIMBURSING PORT REVOLVING FUND.

BE IT RESOLVED that the weekly pay roll for the week ending December 28, 1937, be and the same is hereby approved and the hiring or employment of each and all of the services therein set forth at the compensations therein paid is hereby ratified, confirmed and approved, and

BE IT FURTHER RESOLVED that the demand against the Harbor Maintenance and Improvement Fund for the reimbursement of the Port Revolving Fund in the amount set forth therein, having been approved by the Auditing Committee, is hereby approved and allowed, and the City Auditor be and he is hereby authorized and directed to draw his warrant for the same and make such reimbursement.

HARBOR MAINTENANCE AND IMPROVEMENT FUND:  
 Port Revolving Fund Pay Roll - \$1,103.07."

"RESOLUTION NO. 4504

RESOLUTION ACCEPTING CONTRACT WITH DANIEL CONTRACTING COMPANY.

RESOLVED that the contract with Daniel Contracting Company for the furnishing and delivering of ten thousand tons of crusher run rock to Oakland Municipal Airport, having been satisfactorily completed, be and the same is hereby accepted."

"RESOLUTION NO. 4505

RESOLUTION AUTHORIZING GRANTING OF LICENSES FOR BEACH OCCUPANCY IN BROOKLYN BASIN AREA.

Whereas, a number of persons are occupying portions of the shoreland and navigable waters in the Brooklyn Basin lying approximately between the Ninth Avenue Pier and the foot of Fourteenth Avenue with arks, houseboats, small wharves, sheds and other structures which are being used as homes, and

Whereas, the lands and waters so occupied are public tidelands and submerged lands which belong to the City of Oakland, and such persons have no right, title, or interest whatsoever therein and are at the present time mere trespassers, and

Whereas, it is desirable to permit the temporary continuance of such occupancies at the licensee's sole risk and liability until such time as the area may be leased, improved or required for other uses by this Board, and a form of license has been prepared and submitted to this Board for approval and is hereby approved, now therefore, be it

RESOLVED that the Port Manager is hereby authorized to grant to such occupants a license for a period of one year commencing with January 1, 1938 upon the payment of five dollars (\$5.00) in advance for each occupancy, each of said licenses to be subject to termination upon sixty (60) days' notice, and to be substantially governed by the terms and conditions set forth in such form of license.

BE IT FURTHER RESOLVED that no increase of the present number of homes or occupancies shall be allowed, and that upon the abandonment of any present occupancy the same shall not be restored, unless this Board shall expressly so permit."

"RESOLUTION NO. 4506

RESOLUTION AUTHORIZING ACCEPTANCE OF  
LEASE FROM WHITE INVESTMENT COMPANY  
FOR SAN FRANCISCO OFFICE SPACE.

BE IT RESOLVED that the Port Manager is hereby authorized and directed to execute standard form of leasing agreement with White Investment Company for use of Room 1101 of the Newhall Building in San Francisco for the San Francisco office of the Port of Oakland for a period of one (1) year at a monthly rental of \$50.00."

"RESOLUTION NO. 4507

RESOLUTION RATIFYING, CONFIRM-  
ING AND APPROVING APPOINTMENT  
OF WILBUR E. REGISTER TO POSI-  
TION OF DOCK LABORER.

RESOLVED that the action of the Port Manager in making the following appointment is hereby ratified, confirmed and approved by this Board:

Wilbur E. Register, Dock Laborer, (Port Ordinance No. 222, Section 8.13), at \$.80 per hour straight time and \$1.20 per hour overtime, effective January 3, 1938."

ADJOURNED.

  
SECRETARY

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REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

of the

PORT OF OAKLAND

Held on Monday, January 17, 1938, at the hour of 3:30 p.m., in the office of the Board, Room 75, Grove Street Pier, due written notice of such meeting having been given members of the Board.

Commissioners present: Colbourn, Fisher, Pardee, Roland, and  
President McElroy -5-  
Commissioners absent: None

The Port Manager, Port Attorney, and Assistant Chief Engineer were also present.

The minutes of the regular meeting of January 10, 1938, were approved, as read, and adopted.

Communication from C. H. Purcell, State Highway Engineer, enclosing copy of resolution passed by California Highway Commission at its January 7, 1938 meeting adopting routing of East Shore Highway between Cypress Street and Fiftieth Avenue, as shown on map accompanying the resolution, was filed. The Port Manager stated that he would, during the coming week, confer with Colonel Skeggs, District Engineer, relative to obtaining additional information as to the exact location of the proposed State Highway so that an accurate plan could be drawn showing the proposed change in harbor line, and for the further purpose of estimating the cost to the Port of adapting this portion of the waterfront to highway purposes.

Communication from the Coos Bay Lumber Company submitting statement of lumber handled over Ninth Avenue Terminal facilities during 1937, showing 65,075,673 f.b.m. handled, resulting in tolls in the amount of \$6,506.59 being paid to the Port, was filed.

Copy of Port Manager's letter to Judge W. H. Donahue, dated January 14, 1938, quoting three-quarters cent per square foot rental for covered area as basis of lease to Atlas Imperial Diesel Engine Co. property, which rate, if accepted, would produce a rental of \$710.00 per month, was filed.

Copy of the Port Manager's letter to Mr. Thomas Crowley quoting a rental of \$225.00 per month for 3.5 acres of waterfront property at the foot of Fourteenth Avenue, was filed. In this connection President McElroy stated that Mr. Crowley had conferred with him in respect to the rental as quoted requesting a reduction, and that he would inspect the property on January 18. Commissioners Colbourn and Roland indicated that they would also like to view the property at this time. During the meeting Mr. Thos. Crowley appeared before the Board and renewed his request that a lower rental be established for his plant. He stated that he was employing a large number of men and was making all of his purchases of material in Oakland; further, that he improved the entire property to its present state and thought that consideration should be given to these factors in establishing rental. He also requested that inasmuch as the State Highway would require at least one hundred foot width, this portion of the property should not be included in his lease. The Board reminded Mr. Crowley that the lease proposal was for a year to year arrangement, and that the highway probably would not be constructed during the coming year and that when the highway is constructed a revision in the terms of the lease could then be made. The Board further indi-



cated to Mr. Crowley that the proposed leasehold site would be viewed and consideration be given to the comments he had made and he would be further advised in the matter when a conclusion was reached.

Communication from D. D. Watson offering for sale six and one-half acre tract at High Street and Tidal Canal, the property of Bisceglia Bros., at the price of \$100,000, was read and referred to the Port Manager for report.

Communication from the Port Manager recommending the placing of additional dock laborers on the semi-monthly payroll, in conformance with Civil Service regulations, inasmuch as Civil Service lists are now available, and advising that laborers will be paid on hourly basis and employed only when required, was continued until the next meeting of the Board.

Communication from the Port Attorney advising that submerged tideland lots near the airport were granted in fee, but that public easements for navigation may have been re-acquired by adverse use, was filed.

Communication from the Port Attorney advising that title of tideland lots near the Airport, inside of the City limits, has been conveyed to the State for non-payment of taxes, and that such title may now belong to the City; otherwise, the former owner has a right of redemption, which he is now taking steps to exercise, <sup>was read.</sup> The amount of taxes involved is approximately \$900.00. The Board directed that a title report on the tideland lots be obtained.

Communication from the City Auditor recommending that, in allowing a payment of a service fee to former lessees in Brooklyn Basin, the full amount of rentals be collected and re-payment be made by passage of a claim by the Board, was read and referred to the Port Manager to arrange with the City Auditor for a proper bookkeeping entry, which will be satisfactory to him.

Communication from Henry O'Connell, Port Maintenance Foreman, requesting leave of absence for thirty calendar days without pay for personal reasons, was read and resolution later passed granting the request.

Communication from the General Engineering and Dry Dock Company acknowledging the Board's letter of December 28 submitting proposal for rental at \$5400.00 per year for the 9.25 acre area of waterfront land adjoining their present leases, and stating that although they feel that the rental is somewhat high, they are willing to enter into a year's lease for the property at this quotation, was read and the Port Attorney directed to prepare a one year's lease at a rental of \$5400.00.

Mr. H. F. Vincent, Vice-President of the E. K. Wood Lumber Co., together with Mr. Roscoe D. Jones, Attorney, met with the Board and submitted a new proposal for the leasing of the waterfront property adjoining their plant in the Brooklyn Basin, as follows:

E. K. Wood Lumber Co. to enter into a twenty-five year lease with the City for the area in rear of the dock, consisting of 4.2 acres at a monthly rental of \$250.00 per month, the wharf to be operated by the Port available for public use, and the E. K. Wood Lumber Co. to pay dockage and tolls on its products moving over the wharf, guaranteeing to the Port a minimum of \$150.00 per month from dockage and tolls; the E. K. Wood Lumber Co., under an equitable arrangement to be worked out, will maintain suitable equipment for handling lumber for other users of the dock and will allow ingress and egress from the dock to other users over its lands, such right-of-way to be permissive in character and not an easement, the Port to repair and maintain the wharf, and the E. K. Wood Lumber Co. to maintain the improvements on the area in rear of the dock. The representatives of the E. K. Wood Lumber Co. were informed that the offer, as made, would be taken under advisement and they would be communicated with at a later date relative thereto.

In connection with the lease of property to the Texas Company at the foot of Dennison Street, the Port Manager reported that a conference had been held with representatives of The Texas Company and that they had requested that a lease be drawn for one year's period at the rental of \$260 per month for the property now occupied by them, which is in accord with the rentals as set forth in the Port Manager's report to the Board under date of December 6, 1937. The Board directed the Port Attorney to prepare a year's lease on this basis and submit same to The Texas Company for execution.

The Port Manager reported that a conference had been held with representatives of the S. T. Johnson Co. and that Mr. J. C. Johnson, President, stated that they felt that the rental of \$150 per month was excessive, and requested that consideration be given to a rental of \$125.00 per month. After discussion, it was the consensus of the Board that the offer of \$150.00 per month, as previously made, be not changed and that the S. T. Johnson Company be so advised.

The Port Manager submitted a memorandum report reviewing the facilities and organization now in effect at the Oakland Municipal Airport for fire protection, which report was requested by members of the Board at an inspection of the airport on January 12, 1938.

In respect to the forthcoming U. S. Maritime Commission hearings, the Port Attorney stated that the commission had refused to permit a postponement of the San Diego re-hearing of the Oriental steamship rate case, which is scheduled for January 27; further that the Commission's hearings in respect to trade routes and related matters would be held as follows: San Diego, January 24; Los Angeles,

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January 27; Stockton, January 31; San Francisco and Oakland, February 2; Portland, Oregon, February 7; Tacoma, Washington, February 10; and Seattle, Washington, February 14. The Port Attorney further reported that he had arranged to be present at the San Diego hearing on January 24.

It was further reported that Mr. Fox, representing the Parr Richmond Terminals, had called at the office and urged that the East Bay ports join in presenting a united front in requesting that the termini of trade routes include all of the San Francisco Bay ports. After discussion, it was the consensus of the Board that unless other information developed, the hearings be confined to San Francisco and Oakland, as set forth in Chairman Kennedy's announcement. In this connection, the Port Manager stated that a telegram had been sent to Mr. Parker, Manager of the Chamber of Commerce, who is now in Washington, to ascertain from the Maritime Commission the scope of the hearings to be held at Pacific Coast ports.

The Port Attorney reported that the Stockton European conference case was set by the Maritime Commission for February 7, and that the Oakland Chamber of Commerce had advised that they would, undoubtedly, call on the Port of Oakland officials to testify at the hearing.

In respect to the tideland issues, the Port Attorney reported that Mr. Sturzenacker, Chief of Division of State Lands, had advised by letter that he is concerned over the claim of the Federal Government as to ownership of the state's submerged lands; further, that the counsel for Union Pacific Railroad Co. had advised that the Governor is expected to include tideland issues in proposed call for special session of Legislature, and that state officials and officials of Los Angeles and Long Beach are proposing to submit special bills, which apparently affect the interests of the Port of Oakland.

The Port Attorney reported on conversation with Attorney Chas. Beardley who advised him that he may intervene in behalf of other terminal operators in the El Dorado Oil franchise case.

The Port Manager reported that during December a total of forty-nine transport schedules could not use the San Francisco Airport and that these schedules were completed at the Oakland Municipal Airport; further, that sixty-seven schedules were completely canceled due to bad weather conditions.

The Port Manager and Assistant Chief Engineer reported on conference held on January 11 with United Air Lines' engineer and executives in respect to their proposed plans for the establishment of their shops at Oakland Municipal Airport; further, that plans for the future development of the Airport, as prepared by the Port, had met with favorable comment and that request was made for

a copy of the development plan, together with other information which would be submitted to President Patterson and their Executive Board for study.

The Port Manager called attention of the Board to the press report that City Manager Hassler had addressed a letter to Assistant Postmaster Howes requesting that Oakland mail carried by T.W.A. planes be landed at Oakland instead of San Francisco, as is now the case.

The Port Manager reported that George D. Smith, Vice-President of the Golden Gate International Exposition, had been elected President of the Pacific International Air Races, and that endeavor is now being made in San Francisco and Oakland to raise funds.

The Port Manager stated that he had received a communication from the U. S. Collector of Customs, Chas. O. Dunbar, advising that they are considering the Board's offer for space at the Grove Street Pier for Appraisers Stores.

The Port Manager reported that he had received a communication from Congressman Tolan requesting additional information in respect to transportation rates affecting the Naval Supply Base, which information is being furnished him.

The Port Manager reported as follows on the status of certain funds as of January 14, 1938:

<u>Harbor Maintenance and Improvement Fund (No. 226)</u>	
Unencumbered Cash Balance as of January 14, 1938.....	\$ 47,898.43
Set up in Special Funds 220 and 222.....	95,000.00
Total Unencumbered Cash in all revenue funds as of	
January 14, 1938.....	142,898.43
Total Unencumbered Cash in all revenue funds as of	
December 31, 1937.....	131,092.96
<u>1925 Oakland Harbor Improvement Fund (No. 567)</u>	
Cash Balance as of January 14, 1938.....	197,034.15

The report of the Port Manager recommending rejection of all bids received for road roller was read and resolution later passed rejecting the bids and authorizing re-advertisement calling for new bids.

The report of the Committee on Airport rental rates recommending that no change be made in the present rate of three cents for space in the office and shops but that the hangar rate be fixed at the rate of  $1\frac{1}{2}$ ¢ instead of two cents, as adopted at a previous meeting, together with a table indicating the rentals to be adopted showing increased revenue resulting therefrom in the amount of \$2479.08 per year, was filed.

In respect to the granting of leases to private operators at the Airport, it was the consensus of the Board that the rates, as now fixed, be subject to change at a later date when conditions permit, and for this reason the Port Manager was directed to advise the private operators of the new rates to be made effective on February 1, 1938 and that the rentals will be on a month to month basis until further notice.



The report of the Auditing Committee on claims and demands was adopted.

The following resolution was introduced and passed by the following vote:

AYES: Commissioners Colbourn, Fisher, Pardee, and President McElroy -4-  
 NOES: None  
 ABSENT: None  
 NOT VOTING: Commissioner Roland -1-

"RESOLUTION NO. 4508

RESOLUTION APPROVING AND ALLOWING CERTAIN CLAIMS AND DEMANDS.

RESOLVED: That the following claims and demands, having been approved by the Auditing Committee, be and the same are hereby approved and allowed by the Board of Port Commissioners and the Auditor is authorized to draw his warrant for the same out of the proper Fund:

HARBOR MAINTENANCE AND IMPROVEMENT FUND:

Air Reduction Sales Co.	\$	13.33
American Bitumuls Company		224.60
American Concrete and Steel Pipe Co.		896.80
Associated Stationers		9.99
Baker, Hamilton & Pacific Company		6.95
Bay City Lumber Co.		31.29
Bay City Sanitary Rag Co.		6.06
Bendix Radio Corporation		71.54
California Concrete Products Co.		52.92
City of Oakland - Street Department		2.50
Cobbledick-Kibbe Glass Company		37.64
Cochran & Celli		28.23
Columbia Wood and Metal Preservative Co.		42.49
Commonwealth Club of California		3.00
Henry Cowell Lime and Cement Co.		85.35
East Bay Blue Print & Supply Co.		93.53
Emeryville Industries Association		10.00
General Petroleum Corporation of California		22.66
The A. J. Glesener Co.		2.78
Graybar Electric Company, Inc.		5.87
Greenwood Printers Ltd.		34.92
Heafey-Moore Co., Inc.		124.35
Herrick Iron Works		175.10
The International Press		7.21
Ed. Jones & Co.		7.67
Geo. A. Kreplin Co.		1.16
Laird's Stationery		2.18
Libby, McNeill & Libby		1.12
Maxwell Wholesale Hardware Company		29.68
Melrose Lumber & Supply Co.		70.28
Albert C. Moe		5.93
National Lead Company		17.67
Oakland Airport Inn		6.75
Oakland Association of Insurance Agents		614.09
Oakland Battery Co.		4.78
Oakland National Engraving and Gravure Co.		4.68
Oakland Plumbing Supply Co.		9.65
Pacific Rotaprinting Co.		59.56
Pacific Shipper		68.00
Pacific Tool and Supply Company		9.47
Richfield Oil Corporation		6.52
Rio Grande Oil, Inc.		156.25
San Francisco Bay Carloading Conference		5.00
B. Simon Hardware Co.		5.31
Smith Brothers		74.50
Southern Pacific Company		53.71
Standard Fence Company		12.06
Sunset Lumber Company		9.80
Thomas Bros.		123.60
Tide Water Associated Oil Company		19.28

Transit Concrete Ltd.	\$ 6.13
The Tribune Press	185.40
Union Paper Company	18.65
Zellerbach Paper Company	15.99
State Board of Equalization	12.31
H. G. Adam	12.25
	\$3,618.54"

The following resolutions were introduced and passed by the following vote:

AYES: Commissioners Colbourn, Fisher, Pardee, Roland, and President McElroy -5-

NOES: None

ABSENT: None

"RESOLUTION NO. 4509

RESOLUTION REJECTING ALL BIDS RECEIVED FOR FURNISHING AND DELIVERING ONE TEN TON USED ROAD ROLLER, APPROVING REVISED SPECIFICATIONS, AND DIRECTING RE-ADVERTISING.

BE IT RESOLVED that all bids received by this Board at its meeting of December 27th, 1937, for the furnishing and delivering of one ten (10) ton used Road Roller be and the same are hereby rejected, and the Secretary of this Board is hereby authorized to return the certified checks accompanying said bids to the respective bidders.

BE IT FURTHER RESOLVED that the modified specifications for one used Road Roller filed with this Board and the manner of payment therefor be and the same are hereby approved.

BE IT FURTHER RESOLVED that the Secretary of this Board be and he is hereby authorized to advertise for five consecutive days in the official newspaper for sealed proposals for such equipment to be furnished, as required by law."

"RESOLUTION NO. 4510

RESOLUTION PROVIDING FOR LICENSE AGREEMENT WITH SMITH LUMBER COMPANY.

BE IT RESOLVED that the President of this Board be and he is hereby authorized to enter into an agreement with Smith Lumber Company, a corporation, as Licensee, providing for the occupancy by Licensee of a certain area adjacent to and west of 19th Avenue in the Brooklyn Basin area for a period of one (1) year commencing January 1, 1938, at a rental of \$5,000.00 per year payable in approximately equal monthly installments; such agreement to be upon the general form of license agreement customarily used by this Board."

"RESOLUTION NO. 4511

RESOLUTION AUTHORIZING OIL AND GASOLINE CONCESSION WITH RICHFIELD OIL CORPORATION.

BE IT RESOLVED that the Port Manager be and he is hereby authorized to enter into an agreement with Richfield Oil Corporation as successor of William C. McDuffie, as Trustee for Richfield Oil Company of California, providing for an extension for a further period commencing January 1, 1938, and ending May 31, 1938, of that certain oil and gasoline concession at Oakland Municipal Airport, dated May 1, 1933, as extended from time to time, upon and subject to all the terms, covenants and conditions of said last mentioned agreement."

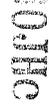
"RESOLUTION NO. 4512

RESOLUTION APPROVING TRANSFER OF A. GERBO TO POSITION OF CONCRETE WORKER OR LABORER.

RESOLVED that the transfer of A. Gerbo, Concrete Worker in the Street Department to the position of Concrete Worker or Laborer in the Port

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Department at the rate of \$6.50 and \$5.50 per day respectively, (under Port Ordinance No. 222, Section 5.08 thereof), is hereby approved, said transfer to be effective January 20th, 1938."



"RESOLUTION NO. 4513

RESOLUTION AUTHORIZING COMPROMISE OF CLAIMS ARISING OUT OF INJURY TO FRANK O. SCHULLERTS, AND THE TAKING OF CERTAIN STEPS IN CONNECTION WITH SUCH COMPROMISE.

Whereas, Frank O. Schullerts, while acting in the scope of his employment as Dock Clerk, was injured on the 29th day of September, 1936, and since said time has been unable to perform the duties of such position, and the City has expended on account thereof, by way of compensation and medical care, the sum of \$2002.86; and

Whereas, said employee heretofore has caused to be filed an action in the Superior Court of the County of Alameda a certain action against William Walker, Jr., and others, and numbered therein 146164, alleging that said injuries were caused by the negligence of the defendants in said action, which allegation is denied by said defendants; and

Whereas, said defendants have offered to pay the sum of \$4500.00 by way of compromise of said action, and said defendants and said employee have offered to pay the City from such amount the sum it has expended to date on account of said injuries by way of compromise of its lien against any recovery in said action, upon the further agreement of the City hereinafter set forth, and

Whereas, it is found that such compromise on the part of the City is just, fair and equitable, and that it is to the best interest of the City that it be effected, and that necessary steps be taken to carry it out; now therefore, be it

RESOLVED that the Port Manager be and he is hereby authorized to enter into an agreement, or agreements, with Frank O. Schullerts, William Walker, Jr. and Merchants Express Corporation, or with such of them as he thereto may be advised by the Port Attorney whereby the City shall receive the sum of \$2002.86 in recoupment of sums laid out by it on account of such injuries; that the City shall further agree to pay said Frank O. Schullerts additional compensation for not to exceed four (4) weeks at the rate of \$24.94 per week, or a total of \$99.76, which sum shall not be refunded to the City; that in consideration of the premises the City shall release said William Walker, Jr. and Merchants Express Corporation of and from any further liability arising out of said injuries; that in consideration of the premises, said Frank O. Schullerts shall release the City of and from any further liability on account of said injuries, over and above the payments hereinabove provided for, whether such liability arise out of general law, the City Charter, or any ordinance or resolution providing for sick leave with pay, or other source; and be it further

RESOLVED that appropriate proceedings be instituted before the Industrial Accident Commission of the State of California for the approval of such compromise of the claim of said Frank O. Schullerts against the City, and that none of the agreements hereinbefore mentioned shall be effective until such approval be secured."

"RESOLUTION NO. 4514

RESOLUTION APPROVING APPOINTMENT OF C. F. BOLTON TO POSITION OF CARGO REPAIR MAN.

RESOLVED that the following temporary appointment is hereby approved by this Board:

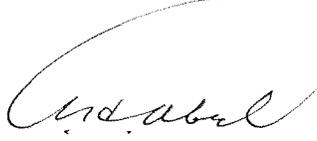
C. F. Bolton, Cargo Repair Man (Port Ordinance No. 222, Section 8.14) - \$165 per month, effective January 16th, 1938, at noon."

"RESOLUTION NO. 4515

RESOLUTION GRANTING LEAVE  
OF ABSENCE WITHOUT PAY TO  
HENRY O'CONNELL, PORT MAIN-  
TENANCE FOREMAN.

RESOLVED that Henry O'Connell, Port Maintenance Foreman, (Port Ordinance No. 222, Section 5.01) is hereby granted a leave of absence for personal reasons, without pay, for a period of thirty days commencing January 14th, 1938."

ADJOURNED.

  
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S E C R E T A R Y

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

of the  
PORT OF OAKLAND

Held on Monday, January 24, 1938, at the hour of 3:30 p.m., in the office of the Board, Room 75, Grove Street Pier, due written notice of such meeting having been given members of the Board.

Commissioners present: Colbourn, Fisher, Pardee, Roland and  
President McElroy -5-  
Commissioners absent: None

The Port Manager, Assistant Port Attorney, and Assistant Chief Engineer were also present.

The minutes of the regular meeting of January 17, 1938 were read, approved, and adopted.

Telegram from Congressman Tolan, dated January 19, 1938, advising that Senator Walsh, Chairman, Naval Affairs Committee, has approved Oakland Naval Supply Base and has sent Chairman Vinson, of the House Naval Affairs Committee, a request to replace the Oakland item in Senate Bill 2338, was filed.

Copy of the Port Manager's letter to Mr. George A. Armes, President, General Engineering and Dry Dock Co., advising that lease for 9.25 acres on year to year basis for \$5400 per year, has been authorized by the Board, was filed.

Communication from T. G. Stahlberg, Secretary of the Civil Service Board, advising that ten positions of Dock Laborer will be classified upon creation of same by the Board, together with letter from the Port Manager relative to creation of ten additional positions of Dock Laborers, as required by Civil Service regulations and set forth in his letter of January 17, 1938, was read and after discussion an ordinance was later introduced amending Section

8.13 of Ordinance No. 222 to provide for five additional positions of Dock Laborer.

Communication from Captain Henry de F. Mel relative to present status of Naval Supply Base legislation in Washington, was filed.

Communication from the Port Attorney relative to Stockton and San Diego steamship rate cases, was filed.

Communication from the Port Attorney regarding his trip to San Diego and Los Angeles, was filed.

Copy of telegram to Senator Knowland from Congressman Carter relative to hearings on Senate Bill 208, regarding claims of Federal government to submerged tidelands, was filed.

Communication from the Port Attorney advising that former owners of tideland lots near the Airport had been advised to confer with the Board before taking steps to redeem property from tax, and that the Alameda County Title Insurance Company had been requested to report on tax deeds to State, was filed.

Communication from Richard Horrocks, Port Maintenance Laborer, requesting extension of leave of absence on account of sickness, request being accompanied by Physician's certificate, was read and resolution later passed granting leave as requested for thirty-two days; twenty days with three-quarters pay, and twelve days without pay, in accordance with Civil Service regulations.

Communication from Rowland Petty, Blacksmith, requesting leave of absence for seven days on account of sickness, request being accompanied by Physician's certificate, was read and resolution later passed granting leave for seven days with three-quarters pay in accordance with the rules of the Civil Service Board.

Mr. Otto Fischer, President of the Union Diesel Engine Co., together with Mr. Roscoe D. Jones, Attorney, met with the Board and discussed the terms of a twenty-five year lease for the 1.15 acres of waterfront property, which they have occupied in the past. The Port Manager submitted a report, together with maps of the property showing the improvements thereon, and indicated that on the basis of other leases, the rental should be in the neighborhood of \$66.00 per month. Mr. Fischer stated that the improvements on the property were used by him only occasionally for the handling of motors from small boats to his plant adjoining the leasehold and that for the purposes which he would use the property, the rental was excessive and could not be justified. He further stated that he considered the value of the improvements, as set forth in the report, to be excessive, and offered to pay a rental of \$40.00 a month for the leasehold. After consideration, an offer for twenty-five year lease on the property at \$50.00 per month was made to Mr. Fischer and was accepted by him.

The Port Attorney was directed to prepare a lease for the property on this basis.

The various private operators, who have in the past leased space in the hangars at the Oakland Municipal Airport on a year to year basis, met with the Board and expressed their appreciation of the Board's action in reducing the space rental from two cents, as recently ordered, to one and one-half cents per square foot. They stated, however, that the Board's order had included a statement that their occupancy would be on a month to month basis and they requested that the Board give consideration to granting them yearly leases as in the past. They stated that they had certain commitments with government agencies and others which require that they have assured tenancy of space. The Board indicated to the operators that the matter would be given consideration and they would be advised at a later date as to the Board's conclusion in the matter.

It was reported that President McElroy, the Port Manager and Assistant Chief Engineer attended the Annual Inspection of the U. S. Naval Reserve at the Oakland Municipal Airport on Saturday, January 22, 1938 and that good publicity for the airport had been obtained from this event.

The Port Manager reported that conference was held on January 21 with the private operators in respect to intervention by them in the Stockton European rate case, which is to be heard before the Maritime Commission on February 7. He reported that the private operators expressed themselves as agreeable to come out definitely against Stockton being granted terminal rates provided that adequate counsel, experienced in rate cases, would be employed and that the cost of same be borne jointly by themselves and the Oakland and San Francisco Chambers of Commerce. The Port Manager further stated that he had discussed with Mr. Kennedy of the Oakland Chamber of Commerce the possibility of the Chambers participating in the expense and that Mr. Kennedy had stated that the meeting of the Directors would be held and a decision made. The Board directed that the Port of Oakland be represented at the hearing by the Port Attorney. It was further reported that the State Harbor Board had definitely intervened in the case and would be represented by the Attorney General.

Fully executed copy of sublease of Joseph Lawrence, lessee of Franklin Street Pier to A. LaRocca and Sons, was filed. The Assistant Port Attorney reported that the sub-lease was in due form pursuant to requirements specified by the Board.

The Assistant Port Attorney reported that reply brief had been filed on behalf of the Port in the El Dorado Terminal Co.'s wharf franchise case.

The Assistant Port Attorney reported that Senate Bill 3078, introduced

in U. S. Senate by Senator Copeland, would place terminal operators under the jurisdiction of National Labor Relations Board for compulsory mediation of labor disputes.

Copy of resolution passed by Oakland Post No. 5, American Legion, endorsing the Oakland Naval Supply Depot, was filed.

The Port Manager called the Board's attention to a press report to the effect that the House of Representatives had approved a bill on January 17 making it unlawful for an airmail contractor to engage in any phase of aviation industry except transportation of mail, passengers, and express, and stated that this bill, if enacted, would tend to eliminate the Boeing School of Aeronautics. The Board directed the Port Manager to communicate this matter to Senator Johnson and Representatives Tolan and Carter with the request that they use their best endeavor to defeat this legislation, which would be detrimental to the City of Oakland.

The Port Manager called the Board's attention to the "Metropolitan Oakland Plan", as presented by Attorney J. Paul St. Sure as a solution to the employer-employee relationship problem, and it was stated that the plan apparently was meeting with approval of a large group of industrial and business leaders.

The Board gave further consideration to the request of Mr. Thos. Crowley for a reduction in the rental of \$225.00 per month, which the Board had previously determined as being the proper rental for the waterfront area occupied by him at the foot of Fourteenth Avenue. President McElroy and Commissioner Roland, who visited Mr. Crowley's plant and inspected the property and viewed the improvements and operations of the plant, stated that the rental of \$225.00 appears to them as being reasonable, and after discussion the Board directed the Port Manager to advise Mr. Crowley that no change would be made in the rental figure as set forth in the Board's letter to him of January 11, 1938.

The Port Manager reported as follows on the status of certain funds as of January 21, 1938:

<u>Harbor Maintenance and Improvement Fund (No. 226)</u>	
Unencumbered Cash Balance as of January 21, 1938.....	\$ 50,033.16
Set up in Special Funds 220 and 222.....	95,000.00
Total Unencumbered Cash in all revenue funds as of	
January 21, 1938.....	145,033.16
Total Unencumbered Cash in all revenue funds as of	
December 31, 1937.....	131,092.96

<u>1925 Oakland Harbor Improvement Fund (No. 567)</u>	
Cash Balance as of January 21, 1938.....	197,034.15

The report of the Port Manager submitting tonnage statistics for the month of December 1937, and for the entire year of 1937, showing gain in tonnage over 1936, was filed.

The Port Manager filed a report in respect to the offer of D. D. Watson for sale of Bisceglia Bros. property at High Street and Tidal Canal. President McElroy also reported that Mr. Ezra Decoto had made a verbal offer of sale of the Hutchison property located on the Tidal Canal adjacent to Fruitvale Avenue. After discussion of the offers, it was the consensus of the Board that the offers be not accepted and the Port Manager was directed to so advise Messrs. Watson and Decoto.

The Port Manager submitted a report on the offer of E. K. Wood Lumber Company for a twenty-five year lease on 4.2 acres of waterfront property adjoining their plant at a rental of \$250.00 per month, which was made at the Board's last meeting. The report, showing that a rental of \$400.00 per month, together with dockage and tolls, should be required to be in line with rentals received for like occupancy by others, was read and after discussion the Port Manager was directed to advise the E. K. Wood Lumber Company that a rental of \$400.00 per month, together with all dockage and tolls on their products handled over the dock, which would have to be reconstructed by the Port, would be acceptable to the Board for a twenty-five year lease on the property.

President McElroy reported that Judge Donahue had conferred with him in respect to the rental for the Atlas Imperial Diesel Engine Co. lease and stated that he considered the 3/4¢ per square foot rate, as quoted by the Board, as being more than they could reasonably pay for the property. The Port Manager submitted a letter with analysis of rental for the property based on a valuation of \$12,000 per acre and with a reduction of 10% on improvements due to obsolescence which indicated that a minimum rental of \$600 per month would be in keeping with this valuation. Inasmuch as the proposed leasehold does not front on the harbor, it was concluded that \$12,000 per acre valuation would be acceptable and the Board directed that Mr. Donahue be informed that a rental of \$600 per month would be acceptable for the lease.

The reports of the Auditing Committee on weekly pay rolls and claims and demands, were adopted.

The following resolutions were introduced and passed by the following vote:

- AYES: Commissioners Colbourn, Fisher, Pardee, Roland, and President McElroy -5-
- NOES: None
- ABSENT: None

"RESOLUTION NO. 4516

RESOLUTION APPROVING WEEKLY PAY ROLLS, RATIFYING ALL HIRINGS AND EMPLOYMENTS THEREIN AND REIMBURSING PORT REVOLVING FUND.

BE IT RESOLVED that the weekly pay rolls for the weeks ending January 4, January 11, and January 18, 1938, be and the same are hereby approved and the hiring or employment of each and all of the services therein set forth at the compensations therein paid is hereby ratified, confirmed and approved, and

BE IT FURTHER RESOLVED that the demand against the Harbor Maintenance and Improvement Fund for the reimbursement of the Port Revolving Fund in the amount set forth therein, having been approved by the Auditing Committee, is hereby approved and allowed, and the City Auditor be and he is hereby authorized and directed to draw his warrant for the same and make such reimbursement.

HARBOR MAINTENANCE AND IMPROVEMENT FUND:  
Port Revolving Fund Pay Rolls - \$3,684.49."

"RESOLUTION NO. 4517

RESOLUTION APPROVING AND ALLOWING CERTAIN CLAIMS AND DEMANDS.

RESOLVED: That the following claims and demands, having been approved by the Auditing Committee, be and the same are hereby approved and allowed by the Board of Port Commissioners and the Auditor is authorized to draw his warrant for the same out of the proper Fund:

LEASED WHARF IMPROVEMENT FUND:		
Howard Terminal - Wharves	\$	3,475.63
HARBOR MAINTENANCE AND IMPROVEMENT FUND:		
Pay Rolls - Administrative Department		2,087.50
" " - Airport		795.00
" " - Engineering Department		1,948.50
" " - Grove and Market Street Piers		1,496.87
" " - Maintenance Department		2,695.00
" " - Ninth Ave. Pier		472.42
" " - Outer Harbor Terminal		4,695.55
" " - Traffic Department		1,487.50
Air Reduction Sales Co.		41.40
American Bitumuls Company		35.80
American-La France and Foamite Industries, Inc.		26.60
Baker, Hamilton & Pacific Company		498.34
Blake, Moffitt & Towne		24.35
Geo. R. Borrmann Steel Company		18.39
The Buckeye Ribbon & Carbon Co.		111.03
California Concrete Products Co.		52.92
California Wood Growers Association		5.00
Cochran & Celli		4.48
Henry Cowell Lime and Cement Co.		8.47
East Bay Glass Company		1.50
Field-Ernst Envelope Co.		44.62
Golden Gate Sheet Metal Works		7.98
Greenwood Printers Ltd.		46.56
Grinnell Company of the Pacific		140.44
H. & M. Co. Co., Inc.		6.70
F. B. Hansen		938.24
International Business Machines Corporation		5.00
The International Press		1.55
The Jones Auto Supply Co.		5.00
Geo. A. Kreplin Co.		13.93
Laird's Stationery		28.31
Lincoln Press		20.96
Maxwell Wholesale Hardware Company		1.42
McKesson-Langley-Michaels		.16
Melrose Lumber & Supply Co.		45.42
Merchants Express Corporation		.50
Modern Wood Works		14.13

Moran Plumbing Supply Co.	\$	9.12
National Lead Company		40.64
A. Newman		45.32
Oakland Association of Insurance Agents		11.25
Oakland Battery Co.		4.78
Oakland Plumbing Supply Co.		10.55
Pacific Gas and Electric Company		1,272.03
Pacific Tool and Supply Company		3.33
Peterson Tractor & Equipment Co.		29.66
Phoenix Iron Works, Inc.		166.60
Postal Telegraph-Cable Company		.81
Ransome Company		31.97
H. T. Rasmussen		5.62
Rhodes & Jamieson, Ltd.		41.28
Rio Grande Oil, Inc.		81.98
Rulo Distributors		9.79
San Francisco Commercial Club		38.45
Sentinel Sanitary Supply Company		7.45
Smith Brothers, Inc.		13.86
Smith Lumber Company		6.73
Southern Pacific Company		25.52
Southern Pacific Company		2.00
Sterling Lumber Company		83.80
Sterling Press		4.12
Straub Manufacturing Co., Inc.		19.98
The Texas Company		5.85
Tide Water Associated Oil Company		18.12
Union Oil Company of California		18.36
United Office Machine Company		12.50
West Coast Soap Co.		.80
The Western Union Telegraph Company		2.93
Wholesalers Credit Association		.50
J. S. Saunders		2.04
White Investment Company		50.00
Port Revolving Fund - Misc.		407.91
		<u>\$23,788.82</u>

"RESOLUTION NO. 4518

RESOLUTION APPROVING PLANS  
AND SPECIFICATIONS FOR SPRINKLER  
SYSTEM FOR UNDERDECK OF NINTH  
AVENUE PIER EXTENSION.

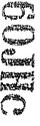
RESOLVED that the plans and specifications prepared by the Port Manager and Chief Engineer, and filed with this Board, for sprinkler system on underdeck of Ninth Avenue Pier Extension, Oakland, (P.W.A. Docket No. 1629 - Contract No. 2), be and the same are hereby approved, and the Port Manager is authorized to submit said plans and specifications to the State Director, Federal Emergency Administration of Public Works, United States of America, for his approval.

BE IT FURTHER RESOLVED that when such approval thereof is had, the Secretary of this Board is hereby authorized to advertise for five (5) consecutive days in the official newspaper for sealed proposals for the work contemplated and the supplies to be furnished under such plans and specifications, as required by law."

"RESOLUTION NO. 4519

RESOLUTION EXTENDING TIME FOR  
PERFORMANCE OF CONTRACT WITH  
ARISS-KNAPP COMPANY.

RESOLVED that the time for the performance of the contract with Ariss-Knapp Company for subgrade and base for pavement on Maritime Street, Outer Harbor Terminal, Oakland, be and the same is hereby extended to and including February 26, 1938."



"RESOLUTION NO. 4520

RESOLUTION GRANTING LEAVE  
OF ABSENCE TO R. HORROCKS,  
PORT MAINTENANCE LABORER.

RESOLVED that R. Horrocks, Port Maintenance Laborer (Port Ordinance No. 222, Section 5.03) is hereby granted a leave of absence for 32 working days commencing January 21, 1938, on account of illness, the first 20 working days only of said period to be with compensation at the rate of 75% of the salary payable such employe, as provided by the rules of the Civil Service Board, and the remainder thereof without pay."

"RESOLUTION NO. 4521

RESOLUTION GRANTING LEAVE OF  
ABSENCE TO ROWLAND PETTY, BLACKSMITH.

RESOLVED that Rowland Petty, Blacksmith, (Port Ordinance No. 222, Section 5.05) is hereby granted a leave of absence on account of illness, said leave to be for 7 days commencing January 17, 1938, with compensation at the rate of 75% of the salary payable such employe, as provided by the rules of the Civil Service Board."

Port Ordinance No. \_\_\_\_\_, being "AN ORDINANCE AMENDING SECTIONS 8.6 and 6.13 OF PORT ORDINANCE NO. 222", was introduced and passed to print by the following vote:

AYES: Commissioners Colbourn, Fisher, Pardee, Roland, and  
President McElroy -5-  
NOES: None  
ABSENT: None

The Port Manager reported on the request of John L. Cousins for reimbursement of \$62.00 for repair of an airplane damaged by painters working in Hangar No. 2 at the Oakland Municipal Airport, and the Board directed that the matter be referred to the insurance company covering the port's liability with the recommendation that the claim be settled by them.

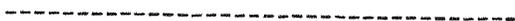
Pursuant to Resolution No. 4509 and advertising for five consecutive days in the city's official newspaper, bids for Furnishing and Delivering One Used Road Roller were received between the hours of 3:30 and 4:30 p.m. At the hour of 4:30 p.m., the following bids, being all the bids received, were publicly opened:

<u>BIDDER</u>	<u>AMOUNT BID</u>	<u>CERTIFIED CHECK</u>
Knox-Hale Machinery Co.	\$2350.00	\$250.00
Sam Bates Company	1675.00	167.50
Ariss-Knapp Co.	1950.00	250.00
A. Soda and Son	2000.00	200.00
Edward R. Bacon Company	1285.00	150.00

These bids were referred to the Port Attorney as to legality and the Port Manager for recommendation as to acceptance of the bids.

ADJOURNED.

SECRETARY



## REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

of the

## PORT OF OAKLAND

Held on Monday, January 31, 1938, at the hour of 3:30 p.m., in the office of the Board, Room 75, Grove Street Pier, due written notice of such meeting having been given members of the Board.

Commissioners present: Colbourn, Fisher, Pardee, Roland and President McElroy -5-

Commissioners absent: None

The Port Manager, Port Attorney, and Assistant Chief Engineer were also present.

The minutes of the regular meeting of January 24, 1938, were read, approved, and adopted.

Communication from Wm. G. McAdoo, U. S. Senator, acknowledging the Board's letter of November 24, 1937, urging opposition to the Pettengill Bill and advising that the matter will be given attention, was filed.

Communication from Oakland Post No. Five, Veterans of Foreign Wars, expressing appreciation for the Board's courtesy in permitting their candy vending machines to be maintained by them at Ninth Avenue and Grove Street Piers, was filed.

Communication from The Interstate Co., enclosing profit and loss statement of its operation at the Oakland Municipal Airport and requesting that present rental be extended during the year 1938, was read and referred to the Port Manager for investigation and report.

Communication from the Port Manager submitting statement of rentals from Brooklyn Basin leases showing an estimated total annual income of \$45,515.00, as compared with annual income of \$1664.00 received under the leases made by the City Council in 1911, was read. The Board directed that a further statement be submitted segregating the 1911 lease rentals.

The Port Manager's Certificate of Completion of contract, dated January 4, 1938, with L. M. Clough Co. for furnishing and delivering crusher run rock to the Oakland Municipal Airport, was read and resolution later passed accepting the contract as completed.

Communication from G. E. Gaylord, Superintendent of the Southern Pacific Company, advising that consideration of the Board's request for seventy-five foot right-of-way for Maritime Street from Seventh to Twenty-second Street

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will be given by their officials, was filed.

Copy of the City Manager's report on affairs of the City for the month of December, 1937, was filed.

Copy of the Port Manager's letter to E. K. Wood Lumber Co. rejecting \$250.00 rental offer and re-affirming the Board's former offer of \$400.00 per month, was filed.

Copy of Port Manager's letter to Tom Crowley re-affirming the Board's offer of \$225.00 per month for lease at the foot of Fourteenth Avenue, was filed.

Judge W. H. Donahue met with the Board relative to a lease with the Atlas Imperial Diesel Engine Co. and submitted figures showing that the company made large purchases of materials locally and had an average annual payroll of about \$336,000.00, with a maximum annual payroll in excess of \$1,000,000. He stated that the continuance of this enterprise, with its large payroll and purchasing power, is a very large asset to the community and that, in his opinion, the Board would be justified in departing from its rental standards because of the community benefit. He stated that the company was now paying \$475.00 rental per month and they anticipated that tax savings would amount to \$68.00 per month, and on this basis, his company was prepared to pay \$550.00 per month rental. The Board had previously submitted a figure of \$600.00 per month as the rental desired. After some discussion, the Board offered the property for a rental of \$575.00 per month, the Atlas Imperial Diesel Engine Co. to maintain the buildings and wharf at its own expense and to carry adequate insurance on the structures in favor of the Board. Judge Donahue stated that, on behalf of his client, he would accept the figure and other terms as outlined.

The Port Attorney was directed to work out with Judge Donahue the terms of the proposed lease, which is to be for a period of ten years with the privilege of cancellation after termination of the first five-year period. It was determined that the new rental for the Atlas Imperial Diesel Engine Co. should begin on February 1, 1938.

Mr. C. C. Brayton met with the Board, stating that he represented the Airport tenants and desired to discuss further the granting of leases on hangar space at the Airport. He stated that he and the other airport tenants would be greatly handicapped in the carrying on of their activities at the Airport without leases for the reason that they would be unable to make any agreements with the assurance that they could carry on for a full year. President McElroy stated that the Board had no definite plan in mind for any changes in the present assignments of space at the Airport, but considered it unwise to tie its hands to such extent that it would not be permitted to take advantage of a desirable business

proposition should same present itself. The matter was discussed at considerable length and Mr. Brayton was informed that there would be no change in the Board's policy of not granting leases, and that assignments of space would be on a month to month basis.

It was announced that Joseph M. Parker, General Manager of the Oakland Chamber of Commerce, died at Peralta Hospital on the morning of January 30. A resolution honoring Mr. Parker was later passed and certified copies ordered sent to Mrs. Parker and the Chamber of Commerce.

In respect to tideland legislation, the Port Attorney reported that it is generally expected that the Governor will open the Special Session of the Legislature to consideration of bills affecting tideland grants to municipalities; that four or five more suits have been filed affecting Long Beach and San Pedro Harbor oil operations on submerged areas in which it is asserted that municipalities have only a surface right to use of tidelands granted them for harbor purposes; and that Julius Henry Cohen, General Counsel of the Port of New York Authority, has advised that efforts are being made to oppose assertion by the Federal Government of title to tidelands, and inquires whether it would be policy to recommend that the Federal Government attempt to negotiate with the states.

In respect to the United States Maritime Commission hearings at Pacific Coast Ports, the Port Attorney reported that he had attended the hearings at San Diego on January 24, and at Los Angeles and Long Beach on January 27, and that these hearings had proved very interesting and instructive. It was further reported that the Stockton hearing was being held January 31, and was being attended by the Traffic Manager, and the Assistant Port Attorney; further, that for the Oakland hearing, which is to be held with San Francisco at the Ferry Building on February 2 and 3, a large amount of data and maps had been prepared by the Port Staff and would be presented before Commissioner Woodward, and that a large number of shipper witnesses would present statements urging the Maritime Commission to provide and maintain necessary steamship service in the various trade routes to the Port of Oakland. It was further reported that representatives of the Maritime Commission would visit Oakland on February 3 or 4 and inspect the Port facilities and industrial districts. Members of the Board indicated they would attend the hearing.

In respect to the Stockton European rate case, the Port Attorney stated that the time of hearing, set for February 8, may be postponed a week or two. It was further reported that the European steamship lines, with the exception of the Isthmian Line, have now withdrawn all service and rates from Stockton; that the Maritime Commission appreciates the seriousness of issues raised by



Stockton and the strength of Stockton's claim that if it secures parity of rate, it will handle much of the cargo now flowing from the valleys through the bay area; further, that Colonel Allin, Port Director of Stockton, is visiting the valley towns and attempting to arouse opposition to the bay, and to bring pressure on Governor to oppose intervention by the State Harbor Board.

The Port Attorney reported that Attorneys Ledwich and Abraham desire to know if the Board will compromise their claim for \$6,000 fee in old condemnation proceeding, and stated that the suggestion was made of a \$1000 settlement. This matter was referred to the Port Attorney for further investigation. The Board expressed itself as being in favor of having the court decide the issue.

The Port Attorney reported that he had attended the San Diego Oriental case at its re-trial on January 27, and it appeared that every indication points toward a re-affirmation of the former decision of the Maritime Commission in favor of San Diego.

The Port Manager called the Board's attention to press reports to the effect that Harry Bridges had called a four-hour (stop work) strike of CIO longshoremen at Los Angeles on January 25 in protest of the Court ruling in respect to A. F. L. - C. I. O. jurisdictional dispute, and that the Maritime Commission's representatives were in Los Angeles at the time and are fully aware of the seriousness of the labor situation.

It was noted that Professor E. D. Dickinson, Dean of the University of California Law School, has been appointed arbitrator between the longshoremen and Waterfront Employers Association on disputed matters.

The Port Manager called attention of the Board to the fact that the United Fruit Company had announced permanent closing of its local offices and withdrawal of its vessels from service on account of labor conditions.

Copy of proclamation of Wm. J. McCracken, Mayor of the City of Oakland, declaring Thursday, February 10, 1938, as Boy Scout Government Day, was filed.

The Port Manager reported as follows on the status of certain funds as of January 28, 1938:

<u>Harbor Maintenance and Improvement Fund (No. 226)</u>	
Unencumbered Cash Balance as of January 28, 1938.....	\$ 55,079.54
Set up in Special Funds 220 and 222.....	95,000.00
Total Unencumbered Cash in all revenue funds as of	
January 28, 1938.....	150,079.54
Total Unencumbered Cash in all revenue funds as of	
December 31, 1937.....	131,092.96

<u>1925 Oakland Harbor Improvement Fund (No. 567)</u>	
Cash Balance as of January 28, 1938.....	197,034.15

The report of the Auditing Committee on claims and demands was adopted.

The following resolutions were introduced and passed by the following

vote:

AYES: Commissioners Colbourn, Fisher, Pardee, Roland and President

McElroy -5-

NOES: None  
ABSENT: None

"RESOLUTION NO. 4522

RESOLUTION APPROVING AND ALLOWING  
CERTAIN CLAIMS AND DEMANDS.

RESOLVED that the following claims and demands, having been approved by the Auditing Committee, be and the same are hereby approved and allowed by the Board of Port Commissioners and the Auditor is authorized to draw his warrant for the same out of the proper Fund:

HARBOR MAINTENANCE AND IMPROVEMENT FUND:

Aeronautical Chamber of Commerce of America, Inc.	\$	50.00
American Association of Port Authorities, Inc.		100.00
American Bitumuls Company		17.90
Bay City Sanitary Rag Co.		6.06
Blake, Moffitt & Towne		9.49
Geo. R. Borrman Steel Company		13.66
California Concrete Products Co.		13.35
California Pottery Company		57.31
Cochran & Celli		9.84
H. S. Crocker Company, Inc.		24.23
East Bay Municipal Utility District		499.05
East Bay Transit Company		5.00
The Electric Corporation		39.75
W. P. Fuller & Co.		32.98
General Electric Supply Corporation		14.32
Graybar Electric Company, Inc.		9.59
Grinnell Company of the Pacific		430.00
H. & M. C. Co., Inc.		6.70
Lee J. Immel		136.50
E. & R. James Co.		3.80
W. P. Koetitz		300.00
Geo. A. Kreplin Co.		5.45
Maxwell Wholesale Hardware Company		23.28
Melrose Lumber & Supply Co.		69.21
National Lead Company		96.08
The Pacific Telephone and Telegraph Company		223.70
The Pacific Telephone and Telegraph Company		30.28
Pacific Tool and Supply Company		15.07
Peterson Tractor & Equipment Co.		244.89
Phoenix Iron Works, Inc.		9.27
Planett Manufacturing Company		71.02
Richfield Oil Corporation		6.52
Rio Grande Oil, Inc.		106.25
Royal Typewriter Company, Inc.		2.50
E. J. Saake		7.22
B. Simon Hardware Co.		32.09
Smith Brothers Inc.		18.31
Smith & Hulse		17.20
Stein Signs		2.00
Sunset Lumber Company		8.75
Underwood Elliott Fisher Company, Incorporated		11.50
Wholesalers Credit Association		7.50
Wonderlite Neon Products Co., Inc.		8.07
E. K. Wood Lumber Co.		215.00
Zellerbach Paper Company		12.72
R. N. Ricketts		11.69
		<hr/>
		\$3,035.10"

"RESOLUTION NO. 4523

RESOLUTION AWARDING CONTRACT  
FOR FURNISHING OF USED ROAD  
ROLLER.

RESOLVED that the contract for the furnishing and delivering of one used Road Roller to the Oakland Municipal Airport be and the same is hereby awarded to Edward R. Bacon Company, a corporation, in accordance with the terms of its bid, filed January 24th, 1938.

BE IT FURTHER RESOLVED that, purusant to the specifications, the certified check accompanying the bid of said Company shall be held as bond as a guarantee of the delivery of said roller. At and upon such delivery, said certified check shall be returned to said Company.

BE IT FURTHER RESOLVED that the other bids received for said contract be and the same are hereby rejected and the checks accompanying the same shall be returned to the proper persons."

"RESOLUTION NO. 4524

RESOLUTION ACCEPTING CONTRACT WITH L. M. CLOUGH COMPANY

RESOLVED that the contract with L. M. Clough Company for furnishing and delivering 10,000 tons of crusher run rock to Oakland Municipal Airport, having been satisfactorily completed, be and the same is hereby accepted."

"RESOLUTION NO. 4525

RESOLUTION CONTINUING AUTHORITY TO PORT MANAGER TO MAKE ARRANGEMENTS WITH PERSONS OCCUPYING BROOKLYN BASIN LANDS.

BE IT RESOLVED that the authority granted the Port Manager as provided in Resolution 4494 of this Board be continued until March 1st, 1938."

"RESOLUTION NO. 4526

RESOLUTION RATIFYING, CONFIRMING AND APPROVING CERTAIN APPOINTMENTS.

BE IT RESOLVED that the action of the Port Manager in making the following regular appointments to the position of Dock Clerk (Port Ordinance No. 222, Section 8.13) at the rate of \$.80 per hour straight time and \$1.20 per hour overtime, is hereby ratified, confirmed and approved by this Board.

Ernest E. Reich	-	appointment effective January 26, 1938.
Nick De Carlo	-	" " " " "
Orville B. Gardner	-	" " " " "
Jack L. Cesar	-	" " " " "
Edward Dillinger	-	" " " " "
Harold A. Anderson	±	" " " " "
Albert H. Paul	±	" " " " "
Manuel S. Blanco	-	" " " 28 ""

"RESOLUTION NO. 4527

RESOLUTION IN HONOR OF THE LATE JOSEPH McCONNELL PARKER.

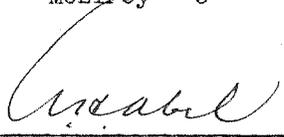
BE IT UNANIMOUSLY RESOLVED that the BOARD OF PORT COMMISSIONERS of the City of Oakland expresses this tribute to the late Joseph McConnell Parker who as General Manager and Secretary of the Oakland Chamber of Commerce loyally and efficiently cooperated with the people of this City and the authorities of the Port of Oakland in furthering and advancing their interests, and in promoting the local welfare. Through his kindly disposition and indefatigable industry and integrity he won the respect and admiration of the business men and civic leaders of this community. His career of useful and honorable activity as a civic worker and leader has marked him as one whose memory is entitled to the highest esteem. As a man he merited and enjoyed the friendship of all who knew him. The Board expresses genuine grief at his passing.

Let a copy of this Resolution be forwarded to the members of his family in token of the sentiments herein expressed and let this tribute be perpetually inscribed in the minutes of this Board."

Port Ordinance No. 279 being "AN ORDINANCE AMENDING SECTIONS 8.06 AND 8.13 OF PORT ORDINANCE NO. 222" having been duly introduced, read and published, was finally adopted by the following vote:

AYES: Commissioners Colbourn, Fisher, Pardee, Roland, and President  
NOES: None  
ABSENT: None  
McElroy -5-

ADJOURNED.

  
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S E C R E T A R Y

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REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS  
of the  
PORT OF OAKLAND

Held on Monday, February 7, 1938, at the hour of 3:30 p.m., in the office of the Board, Room 75, Grove Street Pier, due written notice of such meeting having been given members of the Board.

Commissioners present: Colbourn, Pardee, Roland and President  
Commissioner absent: Fisher -1-  
McElroy -4-

The Port Manager, Port Attorney, and Assistant Chief Engineer were also present.

The minutes of the regular meeting of January 31, 1938 were read, approved, and adopted.

Communication from the Public Works Administration approving the Board's plans and specifications for underdeck sprinkler system for Ninth Avenue Pier Extension, for which bids are to be received on February 14, was filed.

Communication from the Port Manager submitting detailed list of rentals from Brooklyn Basin leases, supplementing data presented to the Board at its January 31st meeting, was filed.

Communication from the Port Manager recommending the amendment of certain items of Port Tariff Ordinance No. 60, to conform to changes made in Private Terminal Operators tariffs, was read and ordinance later passed to print amending the ordinance as recommended.

Copies of statements relative to the Port of Oakland, as submitted by President McElroy and the Port Manager at the Maritime Commission hearing in San Francisco on February 3, 1938, were filed.

Communication from the Works Progress Administration submitting approved Works Project No. 8529 for making models of port shipping facilities and Oakland Municipal Airport, the Port contribution being estimated at \$100.00 and the



Federal cost at \$5000.00, was read and resolution later passed authorizing the carrying out of the project. In this connection, the Port Manager stated that the models, when completed, will be used very effectively in future port exhibits.

Communication from the California Fig Institute requesting the Board to wire the President and United States Senators opposing reduction in import duty on Turkish figs, was read and after discussion, the Port Manager was directed to send telegrams to Senators Johnson and McAdoo, and Congressmen Carter and Tolan urging opposition to change in tariff which would adversely affect the California fig industry.

Communication from Homer W. Bunker, President of the Coos Bay Lumber Co., acknowledging the Port Manager's letter expressing appreciation of tonnage handled over Ninth Avenue Terminal and advising that he will endeavor to visit the Board at his early convenience, was filed.

Communication from the Port Manager advising that there has accumulated seven hundred twenty one dented cans of fruit, valued at approximately \$72.00, which may be forwarded to the City jail for feeding the prisoners, was read and a resolution later passed authorizing the turning over of the damaged canned goods to the City Manager for use in feeding prisoners at the City jail.

Relative to the U. S. Maritime Commission's hearing on trade routes and steamship subsidies, which was held in the Ferry Building in San Francisco on February 2 and 3, and in which the Port Commission, Chamber of Commerce and Metropolitan Oakland shippers took an active part, it was reported that President McElroy and the Port Manager had presented statements fully covering the Port's attitude and its needs for steamship services and that Commissioner Woodward, in closing the hearing, had complimented all those participating on the fine presentation which had been made. President McElroy stated that a very friendly understanding with the State Harbor Board had resulted from the hearing.

In connection with the Stockton European Steamship rate case, the Port Attorney reported that the hearing had been ordered continued from February 7 to February 21, and that the postponement was acceptable in order to properly prepare for the hearing; further, that Stockton was endeavoring to urge Governor Merriam to cause the withdrawal of the State Harbor Board from the case. Copy of telegram to Governor Merriam, which was sent by order of the Board, urging that all issues be allowed to be presented at the hearing, was filed. It was further reported that the Board of Supervisors of San Francisco had announced its intention to also intervene in the case.

The Port Attorney reported that Judge Chris Fox had advised of completion of steps for incorporation of Bay Bridge Rod and Gun Club in order that it may execute the proposed non-exclusive lease with the Board, of Sand Island in the North Harbor, opposite the Toll Plaza.

In respect to the Naval Supply Depot matters, the Port Manager reported on certain rumor having to do with the railroad situation as affecting Naval Supply Base legislation at Washington, and the Board directed the Port Manager to communicate with Mr. Culbertson, Washington Representative of the Chamber of Commerce and obtain further information in respect thereto.

President McElroy announced that an invitation had been received for inspection trip to Standard Brands and the Moore Dry Dock Company's plants on Tuesday, February 8. President McElroy, together with Commissioners Colbourn and Roland indicated that they would accept the invitation.

The report of the Port Attorney covering details of his trip to Los Angeles and San Diego, was filed.

The Port Manager reported that the precipitation at the Oakland Municipal Airport during the past week was 3.30 inches, and that the Airport drainage system operated efficiently and transport operations were carried on as usual.

The Port Manager reported that during January twenty-one transport plane schedules could not use the San Francisco Airport, due to fog and other unfavorable conditions, and that passengers, mail and express for San Francisco were handled from the Oakland Municipal Airport; further, that during January, Transcontinental and Western Air Inc. had made twenty-six transport landings, producing revenue to the Port in the amount of \$145.60.

Copy of excerpt from the Pacific Shipper of February 7, 1938, quoting Chairman Kennedy of the U. S. Maritime Commission on the Pacific Coast ship situation, was filed.

The Port Manager reported as follows on the status of certain funds as of February 4, 1938:

<u>Harbor Maintenance and Improvement Fund (No. 226)</u>	
Unencumbered Cash Balance as of February 4, 1938.....	\$ 49,039.54
Set up in Special Funds 220 and 222.....	95,000.00
Total Unencumbered Cash in all revenue funds as of	
February 4, 1938.....	144,039.54
Total Unencumbered Cash in all revenue funds as of	
January 31, 1938.....	134,172.75
<u>1925 Oakland Harbor Improvement Fund (No. 567)</u>	
Cash Balance as of February 4, 1938.....	197,034.15

The report of the Port Manager on progress of the Port during the month of January 1938, was filed.

The report of the Port Manager submitting statement of condition of Port funds for January 1938, as compared with December and January of 1937, prepared by the Chief Port Accountant, was filed.

The report of the Port Manager submitting Accounts Receivable statement for January 1938, compared with December 1937, as prepared by the Chief Port Accountant, was filed.

The report of the Port Manager on Airport operations for the month of January 1938, showing average storage of 97.6 planes in hangars, was filed.

The reports of the Auditing Committee on weekly pay rolls, and claims and demands were adopted.

The following resolutions were introduced and passed by the following vote:

- AYES: Commissioners Colbourn, Pardee, Roland, and President McElroy -4-
- NOES: None
- ABSENT: Commissioner Fisher -1-

"RESOLUTION NO. 4528

RESOLUTION APPROVING WEEKLY PAY ROLLS, RATIFYING ALL HIRINGS AND EMPLOYMENTS THEREIN AND REIMBURSING PORT REVOLVING FUND.

BE IT RESOLVED that the weekly pay rolls for the weeks ending January 25 and February 1, 1938, be and the same are hereby approved and the hiring or employment of each and all of the services therein set forth at the compensations therein paid is hereby ratified, confirmed and approved, and

BE IT FURTHER RESOLVED that the demand against the Harbor Maintenance and Improvement Fund for the reimbursement of the Port Revolving Fund in the amount set forth therein, having been approved by the Auditing Committee, is hereby approved and allowed, and the City Auditor be and he is hereby authorized and directed to draw his warrant for the same and make such reimbursement.

HARBOR MAINTENANCE AND IMPROVEMENT FUND:

Port Revolving Fund Pay Rolls - \$1,730.57."

"RESOLUTION NO. 4529

RESOLUTION APPROVING AND ALLOWING CERTAIN CLAIMS AND DEMANDS.

RESOLVED: That the following claims and demands, having been approved by the Auditing Committee, be and the same are hereby approved and allowed by the Board of Port Commissioners and the Auditor is authorized to draw his warrant for the same out of the proper Fund:

HARBOR MAINTENANCE AND IMPROVEMENT FUND:

Pay Rolls - Administrative Department	\$	2,087.50
" " - Airport		820.16
" " - Engineering Department		2,022.88
" " - Grove and Market Street Piers		1,489.53
" " - Maintenance Department		2,840.28
" " - Ninth Avenue Pier		466.79
" " - Outer Harbor Terminal		4,818.60
" " - Traffic Department		1,487.50
City of Oakland - City Hall		382.68
East Bay Municipal Utility District		11.00
Oakland Air Port Transportation Service		200.00
Rio Grande Oil, Inc.		1.88

Rio Grande Oil, Inc.	\$	125.00
Southern Pacific Company		13.00
The Tribune Press		185.40
H. G. Adam		9.44
Geo. A. Attwood		22.41
Geo. H. Nash		56.19
Port Revolving Fund - Misc.		475.50
American Bitumuls Company		35.21
Associated Stationers		19.93
Baker, Hamilton & Pacific Company		7.15
Bay City Sanitary Rag Co.		6.06
California Pottery Company		3.61
Frank R. Church		5.15
Cochran & Celli		30.63
Columbia Wood and Metal Preservative Co.		84.98
Henry Cowell Lime and Cement Co.		7.72
R. S. Dogge		20.60
East Bay Glass Company		8.27
The Electric Corporation		69.87
Engineering News-Record		5.00
Fishstrom Staple Co.		14.13
The A. J. Glesener Co.		18.30
Golden Gate Sheet Metal Works		16.48
Greenwood Printers Ltd.		34.92
Grimnell Company of the Pacific		2.02
Lee J. Immel		674.79
The Inter-City Express		7.50
International Business Machines Corporation		15.50
Kling-Dawers Stationery Co., Inc.		5.28
Walter P. Koetitz		186.40
Geo. A. Kreplin Co.		4.70
Laher Spring and Tire Service		2.34
Laird's Stationery		4.80
The A. Lietz Company		2.35
Harry B. Liggett Co.		1.01
Melrose Lumber & Supply Co.		10.04
National Lead Company		195.76
Oakland Plumbing Supply Co.		5.04
Railway Express Agency Inc.		.38
Richfield Oil Corporation		11.41
The San Francisco Examiner		7.50
Sentinel Sanitary Supply Company		21.65
Shipping Register		3.00
Smith Brothers, Inc.		23.13
Southern Pacific Company		42.40
Strable Hardwood Company		48.94
Clyde Sunderland		7.98
Sidney M. Hauptman, Trustee Sunset Lumber Company		6.13
Tide Water Associated Oil Company		4.49
The Tribune Publishing Co.		11.20
Union Paper Company		9.18
United Office Machine Company		4.79
Western Transportation		40.00
Whitthorne & Swan		21.32
Ariss Knapp Company, Inc.		2,577.00
L. M. Clough Company		8,471.83
Daniel Contracting Company		2,898.61
		<hr/>
		\$33,232.22"

"RESOLUTION NO. 4530

RESOLUTION EXTENDING TIME FOR PERFORMANCE OF CONTRACT WITH LEE J. IMMEL.

RESOLVED that the time for the performance of the contract with Lee J. Immel for the furnishing of all labor and materials and the placing of concrete pipe and appurtenances across the Key Route Mole in Oakland Outer Harbor, Oakland, be and the same is hereby extended to and including April 9th, 1938."

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"RESOLUTION NO. 4531

RESOLUTION RATIFYING, CONFIRMING AND APPROVING CERTAIN REGULAR APPOINTMENTS.

RESOLVED that the action of the Port Manager in making the following regular appointments is hereby ratified, confirmed and approved by this Board:

ROY J. WELLS, Assistant Terminal Superintendent (Dock), (Port Ordinance No. 222, Section 8.06 - \$225.00 per month - effective February 8, 1938.

FRED H. AUSTIN, Port Construction Inspector, (Port Ordinance No. 222, Section 4.11) c. \$7.00 per day - effective February 1, 1938."

"RESOLUTION NO. 4532

RESOLUTION AUTHORIZING DISPOSITION OF DAMAGED CANNED GOODS TO THE CITY MANAGER FOR USE IN THE CITY JAIL.

RESOLVED that the Port Manager is hereby authorized to turn over to the City Manager approximately 720 tins of canned goods, being damaged cargo handled over the Outer Harbor Terminal, for use in feeding prisoners in the City Jail."

"RESOLUTION NO. 4533

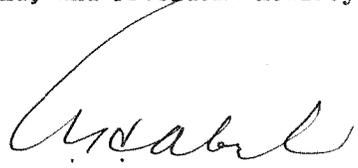
RESOLUTION APPROVING WPA PROJECT FOR CONSTRUCTION OF MODELS - PROJECT PROPOSAL NO. 0803 - 1359 - WORK PROJECT NO. 8529.

RESOLVED that the plans and specifications and estimates of cost for the construction of models of buildings and facilities of the Port of Oakland, submitted by the Port Manager to the Works Progress Administration under Project Proposal No. 0803-1359, and approved by said Works Progress Administration as Work Project No. 8529, and for which the Works Progress Administration has allotted funds in the amount of \$4380, be and the same are hereby approved."

Port Ordinance No. \_\_\_\_\_, being "AN ORDINANCE AMENDING CERTAIN ITEMS OF PORT ORDINANCE NO. 60 AND ADDING ITEM 1596 THERETO" was introduced and passed to print by the following vote:

AYES: Commissioners Colbourn, Pardee, Roland, and President McElroy -4-  
NOES: None  
ABSENT: Commissioner Fisher -1-

ADJOURNED.



SECRETARY

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REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

of the

PORT OF OAKLAND

Held on Monday, February 14, 1938, at the hour of 3:30 p.m., in the office of the Board, Room 75, Grove Street Pier, due written notice of such meeting having been given members of the Board.

Commissioners present: Colbourn, Fisher, Pardee, Roland and President McElroy -5-

Commissioners absent: None

The Port Manager, Port Attorney, and Assistant Chief Engineer were also present.

The minutes of the regular meeting of February 7, 1938 were read, approved, and adopted.

Communication from H. R. Higgins, Traffic Manager, Rosenberg Bros. & Co. requesting that the California Congressional delegation be requested to see that proposed treaty with Turkey does not disturb present rate of duty on Turkish raisins, with which California raisins are competitive, was read, and the Port Manager directed to communicate with Senators Johnson and McAdoo and Congressmen Tolan and Carter requesting their opposition to any change in present duty which would affect the California raisin industry.

Communication from the City Manager, J. F. Hassler, expressing appreciation for the Board's action in supplying the city jail with 721 cans of fruit in damaged containers from the Outer Harbor Terminal, was filed.

Communication from Jno. H. Skeggs, District State Highway Engineer, acknowledging receipt of maps of Brooklyn Basin showing proposed plan of harbor development and change in pierhead lines to accommodate proposed East Shore Highway, and advising that the plan should be considered as tentative only until they can prepare and submit a more detailed map of their right-of-way requirements, was filed.

Communication from Jas. A. Malcolm, Secretary to Mayor McCracken, expressing appreciation of assistance rendered by the Port staff in connection with Boy Scout week, was filed.

Copy of wire sent Senators Johnson and McAdoo, and Congressmen Carter and Tolan in respect to maintaining present import duty on Turkish figs and raisins, was filed.

Communication from Senator Hiram W. Johnson, and Congressman Tolan acknowledging the Board's wires relative to safeguarding California fig and raisin industry, and advising that they will use their efforts on behalf of the

industry, was filed.

Communication from the Port Manager submitting report on survey of employment at Oakland Municipal Airport as of January 31, 1938, showing 388 persons gainfully employed at the Airport as compared to 345 persons as of May 10, 1937, an increase of 43 persons, this employment being in addition to the eleven port employees, was filed. It was noted that the registered students at the Airport had increased from 423 to 458.

The Port Manager's Certificate of Completion of contract with Edward R. Bacon Co. for furnishing and delivering one used Road Roller at a cost of \$1285.00, was filed.

Communication from the Atchison, Topeka and Santa Fe Railway Co. approving form of proposed ordinance locating tideland boundary near Alice Street, was read. The Port Attorney presented for the Board's consideration an ordinance fixing, determining, locating and settling the ordinary low tideline fronting on the Santa Fe property, and the Board later passed the ordinance to print.

Communication from Governor Merriam advising that he will give careful attention to the Port's suggestion that general tideland legislation should be extended, "should a special session become necessary in the near future", was filed.

Communication from the Port Manager submitting specifications and requesting that bids be called for materials for rehabilitation of Dennison Street Wharf under Works Progress Administration Project No. 4459, was read and resolution later passed adopting the specifications and authorizing the calling for bids for the timber and lumber required for the work.

The Port Manager reported that he had received a request from the F. E. Booth & Co., Inc. for consideration of a possible lease of about two and one-half acres of Port property in the Outer Harbor Industrial Area, adjacent to the waterfront for the establishment of their fish canning plant, which is now located at Pittsburg, California. He stated that the Booth Company had reported that the additional cost in delivering of fish at Pittsburg was prohibitive, and that they were seeking a San Francisco bay location. The F. E. Booth & Co., if granted a lease, would agree to ship all its canned products, including fruits and vegetables estimated at about 25,000 tons per year, over the municipal terminals. The matter of nuisance was discussed and the Port Manager requested to further investigate the Booth Co.'s request and report at the Board's next meeting.

The Port Manager presented draft of communication to the State Railroad Commission in connection with Case No. 4246 involving, amongst other things, rates on ocean freight traffic handling between San Francisco bay ports and South-

ern California ports, which statement recommended the Commission's assistance in the establishment and maintenance of adequate steamship service between Oakland harbor and the Southern California ports through the establishment of rates which will permit the movement by water of certain types of cargo. The Port Manager was authorized to present the communication to the Railroad Commission.

In respect to the Federal assertion to title to submerged tidelands, the Port Attorney reported that the Counsel for New York and eastern ports proposed recommending immediate Federal embargo against production of petroleum from tidelands as substitute legislation; that upon objection of Port Attorney, as member of Laws and Legislation Committee of the American Association of Port Authorities, proposal as to such embargo was withdrawn; that Counsel for Santa Fe Railway, after conferring with port officials, expressed concern over situation and will have representatives appear before Congress, and that hearings of Judiciary Committee of House will be held on February 23, 1938.

In respect to the Stockton European rate case, which is to be heard by the U. S. Maritime Commission at San Francisco, starting February 21, the Port Attorney stated that conferences had been held during the week with attorneys for European steamship lines, Attorney General's office, and representatives of the Oakland Chamber of Commerce, and that the four main issues presented by the case are as follows:

1. Charges of conspiracy on part of European Steamship officials to prevent service to Stockton.
2. Reasonableness of avarities on cargo shipped from Stockton based upon steamship costs and possible increase in rates.
3. Undue prejudice to bay ports and shippers arising from applying equal rates to Stockton despite natural disadvantages.
4. Right of steamship lines to arbitrarily withdraw Stockton service. Issues are closely drawn and outcome of case is problematical.

The Port Manager reported that agreements, as prepared by the Port Attorney, for occupancy of property along the Brooklyn Basin by owners of house boats and arks were now being presented to the various persons for execution. A copy of form of agreement to be entered into was presented to the Board and filed.

The Port Attorney reported that he had advised the owners of the forty-acre triangular tract east of the airport, to execute the deed and complete the transaction on their part for the transfer of the property.

The Port Attorney reported that, as directed by the Board at its last meeting, he had written letters demanding the payment of delinquent rent to Captain Wm. Fillmore and Wm. R. Duck, licensees of space in Hangars No. 1 and

2 at the Oakland Municipal Airport, and that to date no reply to his letters had been received, and that he, therefore, recommended that three-day notice be served on these persons to pay up their rental or quit the premises. After consideration of the recommendation, it was suggested that President McElroy contact the parties.

The Port Attorney reported that the U. S. Maritime Commission had rendered a recent decision granting the Port of Boston equal rates with the Port of New York on coffee shipments from Colombia despite lack of direct service to Boston, and that this decision would, undoubtedly, have some affect on the Stockton case.

The Port Manager called attention of the Board to press reports that a determined effort had been made by U. S. Senator Copeland of New York to cause the deportation of Harry Bridges, head of the Pacific Coast C. I. O. Longshoremen and that this effort was being furthered by the Veterans of Foreign Wars who had demanded that the matter be brought out into the open.

It was further reported that a bill would be introduced in Congress to eliminate sit-down or quickie strikes in the Maritime industries.

The Port Manager called attention to the press report that the United Fruit Company had ordered their Pacific fleet of four vessels to the Atlantic Coast, thereby abandoning their Pacific coast operations on account of Maritime labor difficulties.

The Port Manager reported that on February 9 the wind at the Oakland Municipal Airport reached a velocity of seventy-eight miles an hour at the tower, with the barometer at 29.25 and that all electric service was out for a period of one hour and 29 minutes between 2:01 and 3:30 p.m. due to high tension wire on Jones Avenue pole line being blown down; further, that rainfall at the airport during the storm to date, the nineteenth day, is 7.27 inches, and that the airport field, although wet, has been in good operating condition throughout the storm.

The Board's attention was called to the fact that Saturday, February 12, 1938, marked the 11th anniversary of the Port of Oakland.

The Port Manager reported as follows on the status of certain funds as of February 11, 1938:

<u>Harbor Maintenance and Improvement Fund (No. 226)</u>	
Unencumbered Cash Balance as of February 11, 1938.....	\$ 60,741.35
Set up in Special Funds 220 and 222.....	95,000.00
Total Unencumbered Cash in all revenue funds as of February 11, 1938.....	155,741.35
Total Unencumbered Cash in all revenue funds as of January 31, 1938.....	134,172.75
<u>1925 Oakland Harbor Improvement Fund (No. 567)</u>	
Cash Balance as of February 11, 1938.....	197,034.15

The report of the Port Manager submitting financial statement for the first six months' period of the fiscal year, ending December 31, 1937, was filed.

The report of the Auditing Committee on claims and demands, was adopted.

The following resolution was introduced and passed by the following vote:

AYES: Commissioners Colbourn, Fisher, Pardee, and President McElroy -4-
NOES: None
ABSENT: None
NOT VOTING: Commissioner Roland -1-

"RESOLUTION NO. 4534

RESOLUTION APPROVING AND ALLOWING CERTAIN CLAIMS AND DEMANDS.

RESOLVED: That the following claims and demands, having been approved by the Auditing Committee, be and the same are hereby approved and allowed by the Board of Port Commissioners and the Auditor is authorized to draw his warrant for the same out of the proper Fund:

Table with 2 columns: Company Name and Amount. Title: HARBOR MAINTENANCE AND IMPROVEMENT FUND:
Acme Awning & Linoleum Co. \$ 18.54
Alhambra Water Company 1.24
American Brass and Copper Co. .52
The American Rubber Manufacturing Co. 23.45
Arco Company of California Ltd. 12.49
The Autocall Company 33.71
Baker, Hamilton & Pacific Company 10.30
Bearing Specialty Company 16.19
Bigge Drayage Company 16.88
Geo. R. Borrmann Steel Company 5.18
California Concrete Products Co. 44.10
California State Automobile Association 49.38
City of Oakland - Purchasing Dept. 10.00
Cochran & Celli 21.69
Henry Cowell Lime and Cement Co. 26.97
W. S. Dickey Clay Mfg. Co. 18.93
East Bay Blue Print & Supply Co. 114.73
East Bay Glass Company 11.77
Eaton and Smith 78.00
The Electric Corporation 94.06
Flexaml Sign Mfg. Company 25.74
Grinnell Company of the Pacific 24.04
Heafey-Moore Co., Inc. 26.10
Higgins Company 75.19
Hill & Morton Inc. 55.51
Hubbard and Company 3.00
Walter P. Koetitz 45.00
Laher Spring & Tire Service 12.32
Lairds Stationery 2.12
Libby, McNeill & Libby 65.74
Libby, McNeill & Libby 2.06
C. W. Marwedel 27.44
Maxwell Wholesale Hardware Company 17.46
Melrose Lumber & Supply Co. 9.49
Metropolitan Window Shade Factory 6.16
National Lead Company 75.61
Neptune Meter Company 1.20
Pacific Tool and Supply Company 12.17
Parker Electrical Mfg. Co. 10.96
Phoenix Iron Works 139.82
Printing Plates Incorporated 116.09
Rio Grande Oil, Inc. 75.00
E. J. Saake 23.18
Schirrmacher Co. .50
H. G. Scovern & Co. 15.19
Sentinel Sanitary Supply Company 5.91
B. Simon Hardware Co. 31.26
Smith Brothers Inc. 18.69
Southern Pacific Company 13.91

Standard Saw Works	‡	1.00
Sterling Lumber Company		83.78
Strable Hardwood Company		9.23
Thomas Sanitary Supply Co.		27.16
Tide Water Associated Oil Company		28.14
The Tribune Publishing Co.		2.75
Chester N. Weaver Co.		5.65
E. C. Wenger Company		4.55
Western Auto Supply Company		6.49
Wholesalers Credit Association of Oakland Calif.		36.00
M. D. McCarl		19.05
A. C. Meadows		16.89
Harold Wiltermood		30.87
Thos. H. Moore		16.66
		\$1,833.21"

The following resolutions were introduced and passed by the following

vote:

AYES: Commissioners Colbourn, Fisher, Pardee, Roland and President  
McElroy -5-

NOES: None

ABSENT: None

"RESOLUTION NO. 4535

RESOLUTION ESTABLISHING "CONSTRUCTION  
ACCOUNT PWA DOCKET NO. 1629-DS", AND  
AUTHORIZING AND DIRECTING CERTAIN  
STEPS IN CONNECTION THEREWITH.

Whereas, the United States of America, through the Federal Emergency Administration of Public Works, has granted to the City of Oakland certain funds under Public Works Administration Docket No. 1629-DS, and as a condition thereto, has required the segregation from other funds of moneys applicable to said project, now, therefore, be it

RESOLVED that there is hereby established a special account to be known as "Construction Account PWA Docket No. 1629-DS" as a sub-account of 1925 Oakland Harbor Improvement Bond Fund No. 567, and the City Treasurer is hereby directed to deposit to the credit of such account all moneys presently or in the future payable to such account, including all sums received from the government of the United States on account of said project, or allocated therefor by this Board, in a bank or banks in the City of Oakland which is or are members of the Federal Deposit Insurance Corporation; and be it further

RESOLVED that no sums shall be withdrawn from said account except for the purpose of paying the cost and expense of said project; and be it further

RESOLVED that there is hereby transferred to said account the sum of \$88,244.00 from the moneys in 1925 Oakland Harbor Improvement Bond Fund No. 567 heretofore certified by the City Auditor to remain unexpended and unapplied in connection with the contract bearing City Auditor's No. 6412."

"RESOLUTION NO. 4536

RESOLUTION ACCEPTING CONTRACT  
WITH EDWARD R. BACON COMPANY,  
a corporation.

RESOLVED that the contract with Edward R. Bacon Company, a corporation, for the furnishing and delivering of one used road roller, having been satisfactorily completed, be and the same is hereby accepted."

"RESOLUTION NO. 4537

RESOLUTION AUTHORIZING AND DIRECTING INTER-  
VENTION ON BEHALF OF THE PORT OF OAKLAND  
AND LOCAL PUBLIC INTERESTS IN SO-CALLED  
STOCKTON-EUROPEAN RATE CASES.

WHEREAS, as is universally recognized, the location of the City

of Oakland and its adjacent cities, commonly known as Metropolitan Oakland, on mainland shores of San Francisco Bay directly opposite the Golden Gate and conveniently and closely accessible to the Pacific Ocean and its shipping, together with the direct connections of the City with the modern highways leading into the great fertile areas and populated centers of the State, including the San Joaquin, Sacramento, Napa and Santa Clara Valleys, the available inland waterway services extending into the tributary rivers and waters, and the extensive industrial and manufacturing areas of the locality and its fast growing population, mark it as a site strategically situated and peculiarly adaptable to the development and promotion of a comprehensive and modern port for the accommodation of the shipping and commerce of the San Francisco Bay area, and

WHEREAS, having due regard to the geographical factors surrounding the San Francisco Bay area and the narrow, lengthy, and for the most part, shallow channels of the San Joaquin and Sacramento Rivers, it was and is apparent that cities or localities established at points upon the Bay or its tributary rivers or waters more distant from the Golden Gate and Pacific Ocean than the locations of Oakland and San Francisco must inevitably suffer natural disadvantages in the development of a modern port with adequate, economical and serviceable harbor facilities and approaches for the accommodation of ocean going vessels, and

WHEREAS, the greater distances required to be covered in serving such further removed locations with ocean steamship services, the length of time required to be consumed in transit, the additional costs and risks of navigation incurred and other inherent difficulties which cannot be overcome, necessarily create unavoidable economic factors to the detriment of shipping and navigation, and it was and is logically and reasonably to be expected that localities at such distant bay and river points would not and could not be fairly and reasonably accorded steamship rates and services by ocean carriers on a parity with Oakland and San Francisco, thereby establishing the metropolitan areas of the latter cities as the logical and natural points for extensive harbor development on San Francisco Bay, and

WHEREAS, in reliance upon such factors, the people of the City of Oakland, with the cooperation of the Federal and State governments have, by the expenditure of large sums of moneys and by other means, extensively developed the facilities of the Oakland harbor by the construction of large and modern piers, wharves, docks, and warehouses with adequate deep water approaches sufficient to accommodate with safety, convenience and economy the largest vessels which navigate the Pacific Ocean, and

WHEREAS, as was and is to be anticipated from the existence of such natural and economic advantages as is afforded such a location, the Port of Oakland, as the natural port leading to the area of Metropolitan Oakland, has grown rapidly in importance and usefulness, and

WHEREAS, with the establishment and promotion of such port, and the development of its modern port facilities, there has been realized a steady and rapid increase in the amount of shipping and commerce handled through the port, the number of ships operating in the various trade routes of the world which call at its docks, the extent of the population of the tributary territory and its business, industrial and manufacturing resources, until now the City of Oakland, itself, is the third largest, and one of the most prosperous centers of California, and

WHEREAS, many shippers, exporters, importers and other industrial and business institutions, notwithstanding the higher costs of labor, production and land values which necessarily relate to locations in thickly populated areas and shipping centers, have established their business, plants and offices in Metropolitan Oakland in order to enjoy and profit from the natural advantages of a port at such a location and its convenient accessibility to the Pacific Ocean and the trade routes of the world which are plied from and to San Francisco Bay, and

WHEREAS, it was and is reasonable to be expected that only in so doing would shippers, exporters, importers and other investors become entitled to receive and enjoy ocean steamship rates and services on a parity with competitors located in San Francisco and other seaport centers of the Pacific Coast, and

WHEREAS, in reliance upon such natural economic advantages of the location afforded by the Port of Oakland, such shippers, exporters, importers and other business firms have expended large sums of money in developing their business and plants and in advancing their trade interests, and have thus aided in advancing the commerce of the United States and promoted its national welfare, and

WHEREAS, the City of Oakland, as a municipality, and various citizens and corporations engaged in the operation of public wharves and port facilities collect dockage, tolls and other charges from ships using such port facilities and for cargo shipped through the port, and depend upon such revenues and utilize the same for the promotion and development of additional facilities and for the maintenance and continuance in proper service of the channel and approaches which have been provided and which are operated for the convenience and service of ocean transportation, and

WHEREAS, the Port of Stockton, located approximately eighty miles from Oakland on the San Joaquin River, and parties interested in its behalf, are seeking, before the Maritime Commission of the United States, in proceedings which are now pending, to compel steamship lines operating in the trade routes between the Pacific Coast and ports in the United Kingdom and Continental Europe to serve the Port of Stockton at water rates on a complete parity with the rates charged at the ports of Oakland and San Francisco, and

WHEREAS, the calling of vessels in such trade routes at the Port of Stockton and the granting of such equal rates at such port will not substantially or at all increase the amount of tonnage to be shipped in the European or United Kingdom trade routes, or promote the commerce of the United States, but will only serve, by artificial and unreasonable means, to divert large quantities of cargo from their natural and proper channels which now extend through the ports of Oakland and San Francisco, substantially increase the aggregate costs to be incurred by steamship lines calling at such river port with a resulting likelihood of increasing the general level of cargo rates applicable in such trades to be paid by exporters, importers and shippers generally, lengthen the time of ocean carriage and cause additional inconvenience, risk and cost to shipping services, and particularly deprive the Port of Oakland and other operators of public wharves within its harbor of revenues now received in the handling of steamship cargo on which they depend, and to which they are naturally entitled to enjoy, destroy the natural advantages of and injure the shippers, exporters, importers and other business firms who have established their businesses within the Oakland and San Francisco Bay area in reliance upon its location as a natural port for ocean shipping, and will in other respects endanger the financial stability of many shippers and other business institutions located in the said Bay area, and in general result in economic disturbances to the detriment of the public welfare, and

WHEREAS, the application of such steamship rates to the Port of Stockton on a parity with the ports of Oakland and San Francisco will be unduly preferential to Stockton and to shippers located thereat, and unduly and unjustly prejudicial and unfair to, and discriminatory against the ports of Oakland and San Francisco, and to the shippers, exporters and importers located thereat, and to the public interests of Oakland, and will operate to the detriment of the commerce of the United States, all in violation of the provisions of the United States Maritime Act, and other law, and will particularly directly injure and damage the financial interests of the City of Oakland as an operator of its municipal terminals in ocean transportation, now therefore be it

RESOLVED by the Board of Port Commissioners of the City of Oakland that it hereby finds and determines that the matters hereinabove recited are true, and that considerations of national economy and defense, the general welfare and the public interests, and those of the Port of Oakland, demand that such efforts on behalf of the Port of Stockton, and other ports so situated, be resisted; be it further

RESOLVED that the Port Attorney be and he is hereby authorized and directed to file a petition in intervention on behalf of the City of Oakland in said Stockton-European rate cases, being Dockets Nos. 460, 461 and 464, before the United States Maritime Commission, and present such evidence and take such other steps as may be required to represent and protect the interests of the Port of Oakland and its shippers."

"RESOLUTION NO. 4538

RESOLUTION AUTHORIZING AND  
DIRECTING EXECUTION OF LICENSE  
AGREEMENT WITH BAY BRIDGE ROD  
AND GUN CLUB, a corporation.

RESOLVED that the President of this Board be authorized and directed to execute a license agreement with Bay Bridge Rod and Gun Club, a corporation, for the assignment to said corporation of a portion of the sand island located in the North Harbor area northward of the Toll Plaza for purposes of a rod and gun club at a license charge of \$50.00 for the year commencing January 1, 1938, payable in two instalments, and subject to assumption of all risk and liability by said corporation, the termination of such agreement by this Board on 45 days' notice, and to other terms and conditions as set forth in that form of agreement prepared by the Port Attorney and hereby approved by this Board."

"RESOLUTION NO. 4539

RESOLUTION AUTHORIZING LEASE WITH  
UNITED STATES FOREST SERVICE.

BE IT RESOLVED that the Port Manager be and he is hereby authorized to enter into an agreement with the United States of America providing for the occupancy by the United States Forest Service of a minimum of 12,000 square feet and a maximum of 25,375 square feet in the warehouse building at No. 900 - 19th Avenue, Oakland, for a term commencing March 1, 1938, and ending June 30, 1938, and with a right of renewal from year to year on the same terms and conditions and at a rental of \$10.00 per one thousand square feet per month, and that such agreement shall be made upon U. S. Standard Form No. 2 (Revised) Approved by the Secretary of the Treasury May 6, 1935."

"RESOLUTION NO. 4540

RESOLUTION AUTHORIZING OIL  
AND GASOLINE CONCESSION WITH  
THE TEXAS COMPANY.

BE IT RESOLVED that the Port Manager be and he is hereby authorized to enter into an agreement with The Texas Company, a California corporation, as Licensee, providing for the extension for the period commencing January 1, 1938 and terminating May 31, 1938, of that certain oil and gasoline concession agreement between the Port and said corporation, dated January 1, 1933, as modified from time to time, upon and subject to all the terms, covenants and conditions set forth in the agreement last mentioned."

"RESOLUTION NO. 4541

RESOLUTION AUTHORIZING ADVERTISEMENT  
FOR BIDS FOR TIMBER AND LUMBER.

BE IT RESOLVED that the Secretary of this Board be and he is hereby authorized to advertise for five consecutive days in the official newspaper for sealed proposals for the furnishing and delivering of timber and lumber in accordance with the plans and specifications heretofore approved by this Board in Port Resolution No. 4459."

Port Ordinance No. 280 being "AN ORDINANCE AMENDING CERTAIN ITEMS OF PORT ORDINANCE NO. 60 AND ADDING ITEM 1596 THERETO" having been duly introduced, read and published, was finally adopted by the following vote:

AYES: Commissioners Colbourn, Fisher, Pardee, Roland and President  
McElroy -5-

NOES: None

ABSENT: None

Port Ordinance No. \_\_\_\_\_ being "AN ORDINANCE FIXING, DETERMINING, LOCATING AND SETTLING THE ORDINARY LOW TIDE LINE BETWEEN THE NORTHWESTERLY LINE OF ALICE STREET EXTENDED AND THE SOUTHEASTERLY LINE OF FALLON STREET PRODUCED SOUTHWESTWARDLY TO THE ESTUARY OF SAN ANTONIO: AND PROVIDING FOR A COMPROMISE AGREEMENT IN RESPECT TO A PORTION OF SUCH TIDE LINE", and Port Ordinance No. \_\_\_\_\_ being "AN ORDINANCE AMENDING SECTION 2.06 OF PORT ORDINANCE NO. 222" were introduced and passed to print by the following vote:

AYES: Commissioners Colbourn, Fisher, Pardee, Roland and President McElroy -5-  
NOES: None  
ABSENT: None

Commissioners Colbourn and Roland reported that it would require a considerable amount of time to properly survey the proposed port salary adjustments, as submitted by the Port Manager and referred to them, and that they would continue working on the matter, but requested that the listing on the Calendar in reference thereto be omitted until such time as they are ready to report. The Board directed that the subject be taken from the Calendar.

In respect to the Interstate Company's request for the continuation of present rental for the Airport Inn at the Airport during the year 1938, the Port Manager reported that he expected to have a further conference during the week with Mr. Spaulding, Assistant Operating Vice-President, and would be in position to report at the next meeting of the Board.

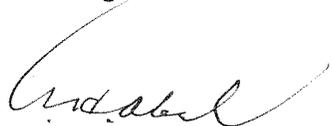
In respect to the E. K. Wood Lumber Co.'s proposed lease, the Port Manager stated that Mr. H. F. Vincent, Vice-President, had requested a conference on the subject during the coming week and that a further report would be made at the next meeting of the Board.

Pursuant to Resolution No. 4518 and advertising for five consecutive days in the city's official newspaper, bids for furnishing and installing Sprinkler System for Substructure of Extension to Ninth Avenue Pier, were received between the hours of 3:30 and 4:30 p.m. At the hour of 4:30 p.m., the following bids, being all the bids received, were publicly opened:

<u>BIDDER</u>	<u>TOTAL AMOUNT BID</u>	<u>CERTIFIED CHECK</u>
Grinnell Company of the Pacific	\$29,621.00	\$3,500.00
Rockwood Sprinkler Company	30,740.00	3,074.00
Geo. M. Robinson & Co.	28,340.00	2,900.00

These bids were referred to the Port Attorney as to legality and the Port Manager for recommendation as to acceptance of the bids after obtaining approval of the Public Works Administration in respect to its regulations.

ADJOURNED.

  
S E C R E T A R Y

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

of the

PORT OF OAKLAND

Held on Monday, February 21, 1938, at the hour of 3:30 p.m., in the office of the Board, Room 75, Grove Street Pier, due written notice of such meeting having been given members of the Board.

Commissioners present: Colbourn, Fisher, Pardee, Roland and President McElroy -5-

Commissioners absent: None

The Port Manager, Assistant Port Attorney, and Assistant Chief Engineer were also present.

The minutes of the regular meeting of February 14, 1938, were read, approved, and adopted.

Communication from Congressman Albert E. Carter, acknowledging the Board's telegram urging that no change be made in tariff on Turkish raisins and figs and advising he will strenuously oppose any change, although he doubts protests will in any way change the Administration's policy of allowing foreign products to flood the United States, was filed.

Communication from J. Paul St. Sure, Attorney, representing the Oakland Municipal Civil Service Employees Association, requesting consideration be given to rates of pay of various dock office clerks, was read and referred to Commissioners Colbourn and Roland.

Communication from K. A. Godwin, Acting Regional Director, Federal Emergency Administration, advising that the three bids received for installation of underdeck sprinkler system at the Ninth Avenue Pier Extension have been checked and approved, and authorizing the award of the contract to Geo. M. Robinson & Co. in the amount of \$28,340.00, was filed.

Communication from Earle Wright, Executive Secretary, Pacific International Air Race, advising that dates of the races to be held at the Oakland Municipal Airport have been changed from June 10, 11, and 12 to May 28, 29 and 30, 1938, was filed.

Telegram from U. S. Senator Hiram W. Johnson advising that Senate Joint Resolution 208 relative to Federal claim to submerged lands is now before the House Judiciary Committee and urging that Congressmen be advised of the Board's views so that they can be presented to the Committee, was filed.

Communication from the Port Manager relative to rental to be quoted to the U. S. Navy for Hangar No. 3 at the Oakland Municipal Airport, was read and the Port Manager directed to advise the Commandant of the Twelfth Naval Dis-

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trict that the rental of Hangar No. 3 would be continued at the present rate of \$3500.00 per year, subject to change in the event that additional facilities, which have been discussed with Commander Ragsdale, are provided, in which event an increase in rental in keeping with the facilities furnished would be expected.

Communication from the Port Manager submitting specifications for the printing of the Port of Oakland "Compass" for twelve-month period starting March 1, 1938, and recommending advertisement for bids, was read and resolution later passed approving the specifications and calling for bids.

Copy of Port Manager's letter to Senators Johnson and McAdoo, and Congressmen Carter and Tolan requesting every effort be made to defeat any change in tariff provision in proposed treaty with Turkey, which would adversely affect the California Raisin Industry, was filed.

Copy of letter from Walter N. Frickstad, City Engineer, to City Manager J. F. Hassler, in respect to lighting of overpass structure leading to the Outer Harbor Terminal, was filed.

Communication from the Port Manager recommending the purchase of a new low priced sedan automobile to replace worn-out 1928 Chevrolet, which has traveled in excess of 90,000 miles, was read and the Port Manager authorized to arrange for the purchase of a new car, applying the turnin value of the old car on the purchase price.

Communication from the Oakland Tribune enclosing copy of letter from Mr. Wm. D. Warner, President of the National Association of Manufacturers urging that a series of twelve full-page advertisements prepared by the National Association be printed and requesting the Board to sponsor the cost of publishing one full page at a cost of \$550.00, was read and the Port Manager directed to advise the Tribune that inasmuch as the proposed advertisements were general in character and did not specifically advertise the Port of Oakland, the Board could not undertake publication thereof.

Communication from the Port Attorney reviewing issues which may arise in the Stockton European rate case hearing, which opens February 21 in San Francisco, was filed.

Communication from the Port Manager recommending the employment of one additional inspector of construction to take care of Works Progress Administration projects was read and resolution later passed authorizing the temporary employment of one additional inspector.

Communication from the Port Manager submitting plan and specifications for dredging of area adjacent to Smith Lumber Co. dock and recommending advertise-

ment for bids for dredging approximately 8200 cu. yds. of material was read and resolution later passed approving plan and specifications and authorizing call for bids.

Mr. J. S. Johnson, President of the S. T. Johnson Co., met with the Board and discussed the matter of rental for proposed lease of Port property at Livingston Street and Nineteenth Avenue, which is now occupied by his company. Mr. Johnson stated that he is willing to pay a rental of \$125.00 per month, but did not consider his business would warrant a rental of \$150.00 a month. The advantageous location of the site in respect to the harbor and the proposed East Shore highway, which will pass the property, were stressed by the Board. After discussion, the matter was continued to permit the Board members to again view the leasehold and Mr. Johnson was advised that the Board would further communicate with him in respect to the matter.

In respect to the Stockton European rate case, which opens hearing on February 21, in San Francisco in the Post Office Building, the Assistant Port Attorney reported that the Port Attorney and Traffic Manager were attending the hearing; further, that the City of Alameda has taken steps to intervene on behalf of the existing rates; that the Intercoastal Steamship lines which now apply equal rates to Stockton will also intervene to oppose Stockton; and that Dr. Hecke, Woodland grower and former State Director of Agriculture, had indicated in an interview that he may be a material witness for the Marine Terminal Association. It was further reported that Mr. H. C. Cantelow, Chairman of the Marine Terminal Association, had written and expressed his appreciation for the resolution passed by the Board.

Copy of the Port Manager's statement to be presented at the hearing was filed.

The Assistant Port Attorney reported that the American Dredging Company case had been continued until March 4, 1938, and that Judge Harris stated that he feels that the pending appeal has taken from him jurisdiction to act on the attorney fee question.

The Assistant Port Attorney stated that Long Beach officials had advised by telephone that the proposed tideland bill to be considered at the Special Session of the Legislature in March seriously affects control of Oakland tidelands. He pointed out that the bill establishes a state tideland commission with control over all state tidelands within or outside of cities and that such control will extend over state land opposite the Hogan property and the areas at the foot of Broadway, with power to lease, operate, etc., and also makes claim by state to all oils, minerals, etc., which may be within any tidelands granted

to cities; further, the bill sets up a regulatory control over city development of state tidelands to guard against construction and development which may affect the state's claimed right to minerals, and steps should be taken to oppose the bill in those features which affect interests of the Port of Oakland. The Port Attorney was authorized to take steps to oppose those features of the bill which will affect the interests of the Port of Oakland in its control and development of the Port.

In this connection the Assistant Port Attorney stated that the City of Long Beach had filed mandamus proceedings in Supreme Court to test out claims of the State, and that this procedure had been suggested to the Long Beach City Attorney by the Port Attorney at a recent conference in Long Beach. The Port Attorney was authorized to file a brief amicus curiae in the case.

The Port Manager reported that the Pacific Oil Sales Co., successors to Purity Oil Co., lessees of a half-acre tract in the Outer Harbor North Industrial Area, was agreeable to pay a rental of \$55.00 per month, and that the rent previously received from the Purity Oil Co. had been \$40.00. The Port Manager was directed to arrange for a year's lease on the property at the \$55.00 per month rental.

The Port Manager stated that he had received a letter from J. F. Douglas, Vice-President of the Carnation Co., complimentary of the Port of Oakland Compass, and stating he was planning to visit Oakland during March.

The Board's attention was called to the February 26th issue of Colliers, containing an article by W. B. Courtney entitled "No Place to Land", in which Oakland Airport was listed as one of the five outstanding airports of the United States, and was the only airport listed west of the Rocky Mountains. Excellent editorial and news items appearing in the local and Vancouver B. C. press in praise of Oakland Airport were also noted.

Copy of statement presented by the Northwest Terminal Association at hearings held by the Maritime Commission in the northwest was filed.

On behalf of the Oakland Forum, Vice-President Fisher extended an invitation to the Board members to attend a luncheon to Lawrence M. Judd, ex-Governor of Hawaii at 12:15 p.m. on March 1st at the Hotel Oakland, and stated that Mr. Judd would speak on Hawaii, its shipping, etc.

The Port Manager stated that verbal request had been received from the publishers of "American Legionnaire" for an advertisement in their forthcoming issue on National Convention to be held in Oakland in 1939, and it was the consensus of the Board that no advertisement be placed in this fraternal publication.

The Port Manager reported as follows on the status of certain funds as of February 18, 1938:

<u>Harbor Maintenance and Improvement Fund (No. 226)</u>	
Unencumbered Cash Balance as of February 18, 1938.....	\$ 48,549.06
Set up in Special Funds 220 and 222.....	95,000.00
Total Unencumbered Cash in all revenue funds as of	
February 18, 1938.....	143,549.06
Total Unencumbered Cash in all revenue funds as of	
January 31, 1938.....	134,172.75
 <u>1925 Oakland Harbor Improvement Fund (No. 567)</u>	
Cash Balance as of February 18, 1938.....	186,571.48

The report of the Port Manager, advising that The Interstate Co. is agreeable to increase its rental for the Oakland Airport Inn and Restaurant Concession from \$250.00 per month to \$300.00 per month, was read and the Port Attorney was directed to prepare a year's agreement with The Interstate Co. at \$300.00 per month.

Communication from the Port Manager submitting report of J. S. Saunders, Superintendent at the Outer Harbor Terminal, in respect to the absence of Chas. Holman, Port Watchman, from duty on account of sickness during the period December 3 to 13 inclusive, was filed.

The report of the Port Manager recommending acceptance of bid of Geo. M. Robinson & Co. for installation of sprinkler system at the Ninth Avenue Pier Extension at a cost of \$28,340.00 was read and resolution later passed awarding contract to Geo. M. Robinson & Co.

The reports of the Auditing Committee on weekly pay rolls and claims and demands, were adopted.

The following resolutions were introduced and passed by the following vote:

AYES: Commissioners Colbourn, Fisher, Pardee, Roland, and President McElroy -5-  
 NOES: None  
 ABSENT: None

"RESOLUTION NO. 4542

RESOLUTION APPROVING WEEKLY PAY ROLLS, RATIFYING ALL HIRINGS AND EMPLOYMENTS THEREIN AND REIMBURSING PORT REVOLVING FUND.

BE IT RESOLVED that the weekly pay rolls for the weeks ending February 8 and February 15, 1938, be and the same are hereby approved and the hiring or employment of each and all of the services therein set forth at the compensations therein paid is hereby ratified, confirmed and approved, and

BE IT FURTHER RESOLVED that the demand against the Harbor Maintenance and Improvement Fund for the reimbursement of the Port Revolving Fund in the amount set forth therein, having been approved by the Auditing Committee, is hereby approved and allowed, and the City Auditor be and he is hereby authorized and directed to draw his warrant for the same and make such reimbursement.



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"RESOLUTION NO. 4544

RESOLUTION ADOPTING PLANS AND  
SPECIFICATIONS FOR CLAM SHELL  
DREDGING.

RESOLVED that the plans and specifications and other provisions filed with the Board for the performance of clam shell dredging in front of dock at the foot of 19th Avenue occupied by Smith Lumber Company, and the manner of payment therefor, be and the same are hereby approved.

BE IT FURTHER RESOLVED that the Secretary be authorized to advertise for five consecutive days in the official newspaper for sealed proposals for the work contemplated and supplies to be furnished, as required by law."

"RESOLUTION NO. 4545

RESOLUTION AWARDING CONTRACT  
FOR FURNISHING AND DELIVERING  
TIMBERS AND LUMBER TO DENNISON  
STREET WHARF, OAKLAND.

RESOLVED that the contract for the furnishing and delivering of timbers and lumber to Dennison Street Wharf, Oakland, be and the same is hereby awarded to Hill & Morton, Inc., in accordance with the terms of its bid, filed February 21, 1938.

BE IT FURTHER RESOLVED that, pursuant to the specifications, the certified check accompanying the bid of said Company shall be held as bond as a guarantee of the delivery of said material. At and upon such delivery, said certified check shall be returned to said company.

BE IT FURTHER RESOLVED that the other bids received for said contract be and the same are hereby rejected, and the checks accompanying the same shall be returned to the proper persons."

"RESOLUTION NO. 4546

RESOLUTION EXTENDING TIME  
FOR PERFORMANCE OF CONTRACT  
WITH ARISS-KNAPP COMPANY.

RESOLVED that the time for the performance of the contract with Ariss-Knapp Company, a corporation, for the furnishing of all labor and materials for the fill and preparation of sub-grade and base for oil macadam pavement, Maritime Street, Outer Harbor Terminal, Oakland, be and the same is hereby extended to and including March 28, 1938."

"RESOLUTION NO. 4547

RESOLUTION EXTENDING GASOLINE AND  
OIL CONCESSION OF UNION OIL COMPANY  
OF CALIFORNIA.

BE IT RESOLVED that the Port Manager be and he is hereby authorized to enter into an agreement with Union Oil Company of California, a corporation, as Licensee, extending for the further period commencing January 1, 1938, and terminating May 31, 1938, that certain oil and gasoline concession at Oakland Municipal Airport established by agreement of the parties dated January 1, 1933 as modified from time to time, and that such extension shall be upon all the terms, covenants and conditions contained in the agreement last mentioned."

"RESOLUTION NO. 4548

RESOLUTION APPROVING TEMPORARY  
APPOINTMENT OF CHAS. L. GEYMAN  
TO POSITION OF PORT CONSTRUCTION  
INSPECTOR.

RESOLVED that the following temporary appointment is hereby approved by this Board:

Chas. L. Geyman, Port Construction Inspector (Port Ordinance No. 222, Section 4.11) - at c. \$7.00 per day, appointment effective February 23, 1938."



"RESOLUTION NO. 4549

RESOLUTION RATIFYING CERTAIN  
REGULAR APPOINTMENTS TO  
POSITION OF DOCK LABORER.

RESOLVED that the action of the Port Manager in making the following regular appointments to the position of Dock Laborer (Port Ordinance No. 222, Section 8.13), at the rate of \$.80 per hour straight time and \$1.20 per hour overtime, effective February 16, 1938, is hereby ratified, confirmed and approved by this Board:

Manuel Correa  
Pasqual Arieta  
Abraham Spady  
Harvey F. Young."

"RESOLUTION NO. 4550

RESOLUTION APPROVING SICK LEAVE  
TO CHAS. A HOLMAN, AND DIRECTING  
DEDUCTION FROM CURRENT PAY ON  
ACCOUNT THEREOF.

Whereas, it appears that Chas. A. Holman, Port Watchman, Port Ordinance 222, Sec. 8.21, was absent from duty for eleven days from December 3, 1937 to December 13, 1937, inclusive, and such absence was not reported by his superior; and

Whereas, said employee was paid full compensation for the whole of such period; and

Whereas, it now appears from a doctor's certificate that such absence was due to illness, and that said employee was entitled to compensation for said period at the rate of three-fourths of his regular pay, now, therefore, be it

RESOLVED that such absence of said employee be and it is hereby approved as sick leave with compensation payable to him at the rate of three-fourths of his regular pay; and be it further

RESOLVED that there be deducted from the current pay of said employee a sum equal to one-fourth of his regular pay for a period of eleven days between the dates above designated, in recoupment of the amount of the overpayment heretofore made."

"RESOLUTION NO. 4551

RESOLUTION AUTHORIZING PORT  
MANAGER TO PURCHASE AUTOMOBILE.

RESOLVED that the Port Manager is hereby authorized to purchase a low priced sedan automobile in the open market to replace the 1928 Chevrolet sedan now in use at the Oakland Municipal Airport, and to turn in said Chevrolet sedan on the purchase price of said low priced car."

"RESOLUTION NO. 4552

RESOLUTION AWARDED CONTRACT FOR  
SPRINKLER SYSTEM FOR SUBSTRUCTURE  
OF EXTENSION TO NINTH AVENUE PIER,  
UNDER PWA DOCKET NO. 1629-DS.

BE IT RESOLVED by this Board of Port Commissioners, acting for and on behalf of the City of Oakland, that the contract for the installation of sprinkler system for substructure of extension to Ninth Avenue Pier, Oakland, under PWA Docket No. 1629-DS be and the same is hereby awarded, pursuant to the bids received after due advertisement as required by law, to Geo. M. Robinson & Co., in accordance with the terms of his bid filed with this Board on February 14, 1938, which bid was for the performance of the work at the

lump sum price of \$28,340, together with payment for any extra work required as provided in the specifications made a part thereof.

BE IT FURTHER RESOLVED that the President of this Board be and he is hereby authorized and directed to enter into a contract with the said bidder on behalf of the City of Oakland and to execute therefor all necessary documents.

BE IT FURTHER RESOLVED that a bond for the faithful performance of the work in the full amount of the contract price, to-wit, \$28,340, shall be furnished by said bidder; also said bidder shall furnish a labor and material bond in an amount equal to at least fifty (50) per cent of the said contract price. Said bonds shall be secured from a surety company satisfactory to this Board. The contract and bonds shall be drawn and executed in sextuplicate under the supervision of the Port Attorney.

BE IT FURTHER RESOLVED that the Secretary of this Board shall forthwith post conspicuously for five days a notice of the award of said contract in the manner and form as prescribed by the City Charter, on the bulletin board near the Council Chamber door at the City Hall.

BE IT FURTHER RESOLVED that the certified check accompanying the accepted bid of Geo. M. Robinson, an individual doing business under the style of Geo. M. Robinson & Co. shall be held by the Secretary until the said contract has been duly entered into and executed, and the proper bonds have been approved and filed, and that the certified checks accompanying the other bids for said contract, which other bids are hereby rejected, be promptly returned to the respective bidders."

"RESOLUTION NO. 4553

RESOLUTION ADOPTING SPECIFICATIONS  
FOR "PORT OF OAKLAND COMPASS".

RESOLVED that the specifications filed with the Board for the printing and binding, and the delivering to the general offices of the Port of Oakland of the monthly house organ entitled "Port of Oakland Compass" for a period commencing March 1, 1938 to and including February 28, 1939, and the manner of payment therefor, be and the same are hereby approved.

BE IT FURTHER RESOLVED that the Secretary be authorized and directed to advertise for five consecutive days in the official newspaper for sealed proposals for the work contemplated and supplies to be furnished as required by law."

Port Ordinance No. 281 being "AN ORDINANCE AMENDING SECTION 2.06 OF PORT ORDINANCE NO. 222" and Port Ordinance No. 282 being "AN ORDINANCE FIXING, DETERMINING, LOCATING AND SETTLING THE ORDINARY LOW TIDE LINE BETWEEN THE NORTH-WESTERLY LINE OF ALICE STREET EXTENDED AND THE SOUTHEASTERLY LINE OF FALLON STREET PRODUCED SOUTHWESTWARDLY TO THE ESTUARY OF SAN ANTONIO: AND PROVIDING FOR A COMPROMISE AGREEMENT IN RESPECT TO A PORTION OF SUCH TIDELINE", having been duly introduced, read and published, were finally adopted by the following vote:

AYES: Commissioners Colbourn, Fisher, Pardee, Roland, and  
President McElroy -5-  
NOES: None  
ABSENT: None

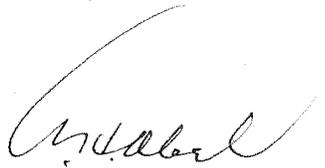
Pursuant to Resolution No. 4541 and advertising for five consecutive days in the city's official newspaper, bids for Furnishing and Delivering Timbers and Lumber to Dennison Street Wharf, were received between the hours of 3:30 and 4:30 p.m. At the hour of 4:30 p.m., the following bids, being all the bids received, were publicly opened:

CONFIDENTIAL

<u>BIDDER</u>	<u>TOTAL AMOUNT BID</u>	<u>CERTIFIED CHECK</u>
E. K. Wood Lumber Co.	\$1,604.57	\$161.00
Bay City Lumber Co.	1,588.71	170.00
Smith Lumber Company	1,574.47	160.00
Piedmont Lumber & Mill Co.	1,578.00	160.00
Oakland Lumber Company	1,605.81	161.00
Melrose Lumber & Supply Co.	1,704.94	171.00
Hill & Morton, Inc.	1,539.56	154.00

Upon approval by the Port Attorney as to legality and upon recommendation of the Port Manager, the bid of Hill & Morton, Inc. was accepted and Resolution No. 4545 passed, awarding the contract to said Hill & Morton, Inc. at the price of \$1,539.56, this company being the lowest bidder.

ADJOURNED.

  
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 S E C R E T A R Y

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REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS  
 of the  
 PORT OF OAKLAND

Held on Monday, February 28, 1938, at the hour of 3:30 p.m., in the office of the Board, Room 75, Grove Street Pier, due written notice of such meeting having been given members of the Board.

Commissioners present: Colbourn, Fisher, Pardee, Roland, and  
 President McElroy -5-  
 Commissioners absent: None

The Port Manager, Assistant Port Attorney, and Assistant Chief Engineer were also present.

The minutes of the regular meeting of February 21, 1938, were read, approved, and adopted.

Copy of Board's letter to J. B. Walker, Vice-President of Transcontinental & Western Air, Inc., urging that uninterrupted service be maintained between the Oakland Municipal Airport and Chicago, was filed.

Communication from the San Francisco Stevedoring Co. and California Stevedore and Ballast Co., requesting the allocation and rental of 2,000 square feet of fenced space at the Outer Harbor Terminal for the purpose of storing stevedoring gear, was read. The Port Manager stated that the stevedoring company was agreeable to pay three-quarters cent per square foot for the fenced space, and recommended the allotment of the space on a month to month basis. The Board directed the Port Manager to arrange with the stevedoring companies for the space at the three-quarter cent rate, with the provision of termination on thirty days' notice.

Communication from F. C. Watson and R. W. Kittrelle submitting offer of sale of Pan American Petroleum Company's property on Clinton Basin for \$125,000 was read, and after discussion the Board directed the Port Manager to advise Messrs. Watson and Kittrelle that it was not interested in purchasing the property.

Telegram from Congressman Albert E. Carter advising, in response to Port Manager's wire request, that Works Progress Administration Project No. 0803-1225 for Oakland Municipal Airport, is still being reviewed by Washington headquarters, and that he will endeavor to expedite the approval at the earliest possible date, was filed.

Communication from Ida Miraglia, Intermediate Stenographer Clerk, tendering resignation to accept a position with the State, was filed.

Communication from the Oakland Association of Insurance Agents requesting authority to cover the Port's automobiles with riot, insurrection, and civil commotion insurance, as is being carried on the balance of City of Oakland cars, at a total premium of \$41.80 per year, and offering to cover port automobiles with "Comprehensive" coverage at an additional premium of \$14.75 per year, was read and the Port Manager authorized to arrange for the additional coverage as set forth in the communication.

Communication from Oscar Joseph, Port Maintenance Laborer and Watchman, requesting leave of absence on account of sickness for a period of thirty-one working days, commencing February 26, 1938, together with physician's certificate, was read and resolution later passed granting leave with three-quarters pay in accordance with Civil Service regulations.

Communication from L. C. Clark, Chairman Scout Government Day, Oakland Area Council, Boy Scouts of America, expressing appreciation of the cooperation shown by the Port staff in furthering their activities on Scout Government Day, February 10, was filed.

Communication from Major Edw. Bowes expressing gratitude for the message from the Port of Oakland in connection with his program honoring Oakland, was filed.

Copy of report of City Manager Hassler to City Council on summary of affairs of the city for the month of January 1938, was filed.

Communication from the Port Manager submitting specifications for 700 lin. ft. of reinforced concrete pipe for storm drain on Dolphin Street, Outer Harbor Terminal Area, at an estimated cost of \$2400.00, which is the Port's contribution under Works Progress Administration Project No. 7318, was read and resolution later passed approving specifications for the pipe and authorizing advertisement for bids.

Communication from the Port Manager relative to the paving of certain areas at the Smith Lumber Co. leasehold in accordance with agreement, and requesting authorization to proceed with the work, was read and resolution later passed approving the arrangement made with the Independent Construction Co. for the carrying out of the paving of the roadways at a cost of \$959.00.

Communication from the Port Manager requesting authority to purchase one air hammer for driving sheet piling at an estimated cost of \$290.00; and one electric greasing rack for servicing the Port's automobiles, at an estimated cost of \$315.00, was read and the Port Manager authorized to purchase the Air Hammer. In respect to the grease rack, the Board requested the Port Manager to further investigate safety features of the type of rack proposed to be purchased and render a report thereon at the next meeting of the Board.

Messrs. Alexander, Alves, and Harry Fair, Director, representing the F. E. Booth Company, met with the Board and discussed the matter of transferring their company's fish canning operations, now located in Pittsburg, to some suitable location in the Port of Oakland's Outer Harbor Terminal area.

Mr. Fair stated that an area of between 100,000 and 120,000 square feet would be required for the plant. He stated that their Pittsburg plant represented an investment of approximately \$400,000.00, and that the construction of a plant suitable for their purposes in Oakland would cost about \$150,000.00; further, that the value of equipment, which would be installed in the plant, would be about \$150,000.00. He stated that a location in the bay convenient to the sardine fishermen was necessary as under the present arrangements, the F. E. Booth Co. must assume the transportation cost of fish from the bay area to Pittsburg and that this transportation cost, which it is their desire to eliminate, had amounted to approximately \$60,000.00 for the season of 1937.

Mr. Alves stated that their annual pack of sardines was between 300,000 and 400,000 cases and that their pack of fruits and vegetables amounted to 300,000 to 500,000 cases, 75% of which products were shipped out resulting in about 25,000 tons of waterborne cargo which would be available to the Port.

Mr. Alves stated that they would require dockage space of about 300 feet for the handling of the fish boats. The space required for the actual cannery would be about 100' x 250' and that, in addition, warehouse space would be required for the storage of the season's pack and for labeling and shipping.

President McElroy pointed out that a tonnage guarantee would be required if a lease were made by the Board. The question of a suitable location was discussed. The area immediately north of the present plant of the Pacific Coast

Engineering Company in the North Industrial Area was considered to be acceptable, except for the amount of work necessary to place the land in condition so as to have the plant ready for this season's pack, which the representative of the F. E. Booth Company had already pointed out would be a controlling factor.

The F. E. Booth Company representatives were asked to consider the building now occupied by the Pacific Coast Engineering Co. as to its suitability for their purposes inasmuch as the building is of the approximate size specified for the plant.

Other locations adjacent to Warehouse "C" and in rear of the Seventh Street Unit were also mentioned. A rental figure of approximately \$500.00 per month was mentioned by President McElroy and Mr. Fair stated that that amount would not be excessive.

The representatives of the F. E. Booth Company stated that they would look over the plant now occupied by the Pacific Coast Engineering Company and the other locations mentioned with the Port Manager, and President McElroy stated that the Board would further consider the matter when a suitable location could be determined upon.

The Port Manager reported that a small fire originating from spontaneous combustion occurred at the Seventh Street Unit, Outer Harbor Terminal on February 25 but that damage was confined entirely to the copra which is estimated to be about \$100.00 by the owner, R. J. Roesling; further, that Coast Guardsmen from the Cutter SHOSHONE berthed alongside, and City Fire Department did excellent work and complimentary letters have been written to them.

In respect to the Stockton European case, the Assistant Port Attorney reported that the hearing, which started on February 21, is still in session and will presumably continue throughout the present week and that the complainants' case was not yet completed; further, that the State Attorney General's office, representing the State Harbor Board, had definitely withdrawn from the proceedings. Communication from the Port Attorney reviewing the status of the case to date was filed.

The Assistant Port Attorney stated that the House Judiciary Committee had completed hearings on S. J. R. 208, relating to Federal claim to submerged lands and that the Port was represented by the Laws and Legislation committee of the American Association of Port Authorities. In respect to this matter, the Port Manager stated that a letter had been written to the Oakland Chamber of Commerce strongly urging that it oppose the Senate joint resolution.

The Port Manager stated that he had received from Colonel W. T. Hannum, Division Engineer, War Department, a circular letter advising that an appeal from

the unfavorable report of the House Committee on Rivers and Harbors on proposed harbor improvement program by Port of Richmond may be registered with the Board of Engineers, Washington, D. C.

In respect to airport matters the Port Manager reported that the U. S. Naval Aviation Fleet Air Detachment, starting March 10, will hold air maneuvers for probably nine or ten days and that these maneuvers will keep men on duty twenty-four hours a day at the Airport and that their new Mobile radio directional finder, which is temporarily located in the paddock, will be extensively used.

The Port Manager reported further that the Alcor Corporation had advised that they intend to test their new airplane commencing about March 2, and that Major R. D. Bedinger, Supervising Inspector, Bureau of Air Commerce, had requested space for hangaring the department's planes if and when available.

The Port Manager reported that he had been advised by Commander Ragsdale that there was a strong likelihood of obtaining the basing of the U. S. Coast Guard amphibian at the Oakland Municipal Airport and that the Navy would provide hangar space for the amphibian. The Board directed the Port Manager to advise Commander Ragsdale that his efforts in arranging for the Coast Guard activity at the Airport were greatly appreciated.

The attention of the Board was called to the good publicity given Outer Harbor Terminal and Rosenberg Bros. & Co. in the development section of the press on February 27.

The Port Manager reported that thirty-two warehouses on February 25 were closed in Oakland and San Francisco due to C.I.O. strike resulting from the discharge of an employee at one of the grocery warehouses, but that at the present time the strike had not seriously affected the Municipal terminals.

The Port Manager reported as follows on the status of certain funds as of February 25, 1938:

<u>Harbor Maintenance and Improvement Fund (No. 226)</u>	
Unencumbered Cash Balance as of February 25, 1938.....	\$ 57,747.41
Set up in Special Funds 220 and 222.....	95,000.00
Total Unencumbered Cash in all revenue funds as of	
February 25, 1938.....	152,747.41
Total Unencumbered Cash in all revenue funds as of	
January 31, 1938.....	134,172.75
 <u>1925 Oakland Harbor Improvement Fund (No. 567)</u>	
Cash Balance as of February 25, 1938.....	186,571.48

Commissioner Colbourn rendered report in respect to the adjustment of salaries of Dock Office Clerks and the Port Manager was directed to discuss with the Secretary of the Civil Service Board the matter of classification of the Dock Office Clerks and was further directed to advise Paul St. Sure, Attorney, in response to his communication to the Board, that the matter was being given study and that he would be notified as soon as a conclusion had been reached by the Board.

The report of the Auditing Committee on claims and demands was adopted.

The following resolutions were introduced and passed by the following

vote:

AYES: Commissioners Colbourn, Fisher, Pardee, Roland and President  
McElroy -5-

NOES: None

ABSENT: None

"RESOLUTION NO. 4554

RESOLUTION APPROVING AND ALLOWING  
CERTAIN CLAIMS AND DEMANDS.

RESOLVED: That the following claims and demands, having been approved by the Auditing Committee, be and the same are hereby approved and allowed by the Board of Port Commissioners and the Auditor is authorized to draw his warrant for the same out of the proper Fund:

HARBOR MAINTENANCE AND IMPROVEMENT FUND:

Acme Scales Company	\$	32.25
Air Reduction Sales Co.		23.79
Alameda County-East Bay Title Ins., Co.		10.00
Baker, Hamilton & Pacific Company		199.94
Blake, Moffitt & Towne		28.26
Geo. R. Borrmann Steel Company		126.39
California Pottery Co.		40.34
J. Catucci		5.28
City of Oakland, Dept. of Streets		8.60
Cochran & Celli		5.93
Columbia Wood and Metal Preservative Co.		84.98
Colyear Motor Sales Co.		22.81
Henry Cowell Lime and Cement Co.		45.99
East Bay Glass Company		9.36
East Bay Sawdust Co.		14.13
The Electric Corporation of Oakland		20.90
Fairbanks, Morse & Co.		17.18
Gilson Electrical Supply Co.		18.08
The A. J. Glesener Co.		1.52
Harvey Hanson		19.93
Hill & Morton Inc.		65.67
International Business Machines Corporation		5.00
Kling-Dawers Stationery Co., Inc.		2.82
Geo. A. Kreplin Co.		7.20
Lincoln Press		24.05
Mackay Radio and Telegraph Company		.42
Maxwell Wholesale Hardware Company		218.43
Melrose Lumber & Supply Co.		2.78
National Lead Company		63.18
Oakland Air Port Transportation Service		200.00
Oakland Plumbing Supply Co.		28.92
Pacific Electric Motor Co., Inc.		2.40
Pacific Gas and Electric Company		1,210.29
Pacific Gas and Electric Company		108.15
Pacific Tool and Supply Company		6.56
Patrick and Moise-Klinkner Co.		9.83
Postmaster, Oakland		90.06
Ransome Company		399.78
H. T. Rasmussen		3.61
Remington Rand Inc.		27.55
E. K. Wood Lumber Co.		128.72
Richfield Oil Corporation		20.58
Rio Grande Oil, Inc.		148.13
Rio Grande Oil, Inc.		.52
Oakland Sand & Gravel Co.		25.00
Sentinel Sanitary Supply Company		33.82
Smith Brothers Inc.		8.42
Smith Lumber Company		18.27
Strable Hardwood Company		3.44
Sunset-McKee Salesbook Co.		67.36
The Texas Company		1.90
The Tribune Publishing Co.		11.60
Underwood Elliott Fisher Company, Inc.		11.50
United Iron Works		34.87

"RESOLUTION NO. 4555

RESOLUTION AUTHORIZING ADVERTISING FOR BIDS FOR CONCRETE PIPE.

BE IT RESOLVED that the Secretary of this Board be and he is hereby authorized to advertise for five consecutive days in the official newspaper for sealed proposals for the furnishing and delivering of 700 lineal feet of 30 inch reinforced concrete pipe for storm drain in the Outer Harbor Industrial Area of the Port of Oakland in accordance with the plans and specifications heretofore approved by this Board in Port Resolution No. 4320."

"RESOLUTION NO. 4556

RESOLUTION GRANTING LEAVE OF ABSENCE WITH PAY TO OSCAR JOSEPH.

RESOLVED that Oscar Joseph, Port Maintenance Laborer and Watchman (Port Ordinance No. 222, Section 8.22) is hereby granted a leave of absence on account of illness, said leave to be for a period of 31 working days commencing February 26, 1938, with compensation at the rate of 75% of the salary payable such employe, as provided by the rules of the Civil Service Board."

"RESOLUTION NO. 4557

RESOLUTION ADOPTING MODIFIED PLANS AND SPECIFICATIONS FOR SURFACING PORTIONS OF SMITH LUMBER COMPANY PREMISES AND ACCEPTING PROPOSAL IN CONNECTION THEREWITH.

Whereas, it appears that it will not be necessary at the present time to surface the area contemplated by Resolution No. 4489 on the premises now occupied by Smith Lumber Company, and informal bids have been received for the performance of the work presently required, and Independent Construction Co., Ltd. has submitted the lowest proposal therefor, and the amount thereof is less than \$1,000; now, therefore, be it

RESOLVED that the modified plans and specifications, and other provisions relating thereto, filed with this Board for the surfacing of portions of the premises occupied by Smith Lumber Company, and the manner indicated for the payment therefor, be and the same are hereby approved; and be it further

RESOLVED that the proposal of Independent Construction Co., Ltd., a corporation, for the performance of such work complete for the price of \$959 be and the same is hereby accepted; and be it further

RESOLVED that Resolution No. 4489 be and the same is hereby rescinded."

"RESOLUTION NO. 4558

RESOLUTION CONTINUING AUTHORITY TO PORT MANAGER TO MAKE ARRANGEMENTS WITH PERSONS OCCUPYING BROOKLYN BASIN LANDS.

BE IT RESOLVED that the authority granted the Port Manager as provided in Resolution No. 4494 of this Board be continued until April 1, 1938."

"RESOLUTION NO. 4559

RESOLUTION AUTHORIZING EXTENSION OF GASOLINE AND OIL CONCESSION OF SHELL OIL COMPANY.

BE IT RESOLVED that the Port Manager be and he is hereby author-

ized to enter into an agreement with Shell Oil Company, a corporation, as licensee, providing for the extension for a further period commencing January 1, 1938 and terminating May 31, 1938 of that certain gasoline and oil concession granted by agreement between the Port and licensee dated January 1, 1933, as modified from time to time and upon and subject to all the terms, covenants and conditions in the agreement last mentioned."

"RESOLUTION NO. 4560

RESOLUTION APPROVING PERFORMANCE  
AND LABOR AND MATERIAL BONDS OF GEO.  
M. ROBINSON, an individual doing business  
under the style of GEO. M. ROBINSON & CO.

BE IT RESOLVED by the Board of Port Commissioners of the City of Oakland that the faithful performance bond, and the labor and material bond of Geo. M. Robinson, an individual doing business under the style of Geo. M. Robinson & Co., executed by American Surety Company of New York and by said contractor with the City of Oakland, covering the installation of a sprinkler system for substructure of extension to Ninth Avenue Pier, Oakland, be and the same are hereby accepted and approved."

"RESOLUTION NO. 4561

RESOLUTION APPROVING APPOINTMENT  
OF THOMAS GRIFFEN TO POSITION OF  
CONCRETE WORKER OR LABORER.

RESOLVED that the following regular appointment is hereby approved by this Board:

Thomas Griffen, Concrete Worker or Laborer,  
(Port Ordinance No. 222, Section 5.08) - at  
the rate of \$6.50 and \$5.50 per day respectively,  
appointment effective February 28, 1938."

In respect to the E. K. Wood Lumber Co.'s proposed lease, the Port Manager reported that Mr. Roscoe D. Jones, Attorney for the E. K. Wood Lumber Co., had telephoned him that Mr. H. W. B. Taylor, Vice-President, and Mr. H. F. Vincent, Vice-President, would appear before the Board at its next meeting on March 7 to further discuss the matter.

ADJOURNED.

  
SECRETARY

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

of the

PORT OF OAKLAND

Held on Monday, March 7, 1938, at the hour of 3:30 p.m., in the office of the Board, Room 75, Grove Street Pier, due written notice of such meeting having been given members of the Board.

Commissioners present: Colbourn, Fisher, Roland, and President  
McElroy -4-

Commissioner absent: Pardee -1-

The Port Manager, and Assistant Chief Engineer were also present.

The minutes of the regular meeting of February 28, 1938, were approved, as read, and adopted.

Communication from A. B. McMullen, Chief of Airport Section, Bureau of Air Commerce, Washington, D. C., advising that the Board's application for Federal aid in improving Oakland Municipal Airport has met their approval, and that an allotment of \$473,280.00 has been recommended for expenditure by Works Progress Administration, was filed. In this connection, the Port Manager stated that with the approval of the Bureau of Air Commerce, it is believed that the Presidential approval of the project would be forthcoming without delay, and that it was anticipated that work could be undertaken on some items of the project by the Works Progress Administration in the near future.

Communication from D. A. Driggs, Assistant Secretary, American Trust Co., requesting authority to pay to Libby, McNeill & Libby proceeds of bond coupons maturing March 1, 1938 on \$3,000 Cudahy Packing Co. bonds held as lease agreement performance guarantee, was read and authority granted as requested.

Communication from Healy-Tibbitts Construction Company, requesting the Board's approval of assignment of its contract for construction of Ninth Avenue Pier Extension to Healy Tibbitts Construction Co., a new California corporation which is taking over the former company's activities, together with the report of the Port Attorney in respect thereto, was read and resolution later passed consenting to the assignment of the contract to the newly incorporated company.

Communication from Senator Wm. G. McAdoo replying to the Board's protest in regard to lowering of duty on figs and raisins in Turkish treaty negotiations, and enclosing copy of circular letter to all persons who have protested advising that he had appeared before the Committee for Reciprocity Information and urged that nothing be done to the detriment of California's industry, was filed.

Communication from the Port Attorney relative to proposed hearing by United States Supreme Court on issues of Federal taxation on Port incomes, was filed.

Copy of opinion from City Attorney approving action of Port in assuming pro rata share of expenses of Dock Checkers Employers Association, was filed.

Communication from Richard Horrocks requesting extension of leave of absence without pay on account of sickness, together with physician's certificate, was read and resolution later passed granting leave as requested.

Mr. H. F. Vincent, Vice-President, and Mr. Roscoe D. Jones, Attorney, representing the E. K. Wood Lumber Co., met with the Board in further reference to a new lease on the area occupied by the E. K. Wood Lumber Co. at the foot of

400

Frederick Street extended, which had been subject of discussion at previous Board meetings. Mr. Jones stated that the officials of the E. K. Wood Lumber Co. had considered the Board's offer of \$400.00 per month, plus dockage and tolls, as outlined in the Port Manager's letter of January 31, 1938, and believed this amount more than the business carried on by the E. K. Wood Lumber Co. would justify. They stated that while they considered the value of the land for rental purposes to be not more than \$10,000 per acre, they would be willing to pay a rental based on \$12,000 per acre inasmuch as this is the rate that has been established by the Board in the vicinity of the E. K. Wood Lumber Co. plant; further, that the value of the improvements, in their opinion, would not exceed \$7500.00 and that they were prepared to pay a rental based on a land value of \$12,000 per acre and on improvements at a value of \$7500.00. On this basis they stated that, in accordance with their understanding of the Board's method of computing rental, the rental would be \$300.00 per month, which they were prepared to pay, this being an increase of \$50.00 per month over the previous rental of \$250.00 which they had offered. In addition, Mr. Jones stated that they were prepared to guarantee an income of \$150.00 per month to the Port from dockage and tolls.

President McElroy stated that the Board would be required to expend approximately \$30,000 for repairing the dock and would be required to take care of the dredging adjacent to the dock and in order to underwrite this investment and secure a proper return, the total income to the Port for the property should be about \$6,000 per year. The E. K. Wood representatives pointed to their record of stability in Oakland, stating that their business employed a large number of men and the company paid large sums in taxes and these factors should be taken into consideration. The matter was discussed at considerable length and the E. K. Wood Lumber Co. representatives were advised that their new offer, as made, would be studied, after which a further conference would be held.

The Port Manager stated that in connection with the proposed lease for fish canneries with the F. E. Booth Co., Mr. Joseph Alves, Production Manager, had advised him that Major Landers, Consultant on fish canneries for the City of Monterey, would be in Oakland on Tuesday, March 8, and would make an inspection of the various sites under consideration in the Outer Harbor Terminal area and would confer with the Port Manager in respect to the proper location for this industry.

In connection with the Stockton European case, a communication from the Port Attorney reviewing the status of the case was read. The Port Manager reported that on Saturday, March 5, Mr. Furniss, the Examiner of the Maritime Commission, in charge of the hearing, had spent several hours visiting the

Outer Harbor Terminal and inspecting the Rosenberg Bros. & Co., and Libby, McNeill & Co. plants, as well as the terminal facilities, and that he had expressed himself as very favorably impressed with the shipping facilities provided by Oakland; further, that on Sunday the Port Manager and Port Attorney had the pleasure of showing Mr. Furniss both private and public port facilities, the industries and the Airport, and that a further trip was made to the productive areas surrounding the Port including Santa Clara valley, and that this inspection tour had been very informative to Mr. Furniss.

The Port Manager reported that he had conferred with the Secretary of the State Harbor Board, who had advised that although they had intervened in the case, they will be prohibited from actually participating due to the fact that they cannot by law be represented by other than the Attorney General, who has withdrawn from the case. It is estimated that the Hearing will continue throughout the coming week, and that the Port of Stockton was just completing the introduction of its testimony.

In respect to the Special Session of the State Legislature, it was reported that the Board would be represented by the Assistant Port Attorney.

It was reported that the Assistant Port Attorney had been sent to Sacramento to look after the Port's interests, which may be affected by adverse tideland legislation.

Communication from the Port Attorney analyzing the proposed state lands act, which contains material objectionable to the Port, was filed. It was further stated that letters have been written to the local Senators and Assemblymen setting forth the Port's position.

In respect to the purchase of a 40-acre triangular area easterly of the Airport, it was reported that Mr. Wm. E. Crichton, representing the seller, had advised that Mr. Steinberg, Attorney for the Stone interests, has not yet filed the compromise documents in the Fontana-Stone mortgage matter, which must be done before the sale of property can be closed, and that a written demand had been made by the Port Attorney on Mr. Steinberg for immediate action.

In respect to the American Dredging case, it was reported that the Superior Court had continued Motion to Tax Costs in the condemnation case until May 24, and stated that the Port Attorney would submit a report at an early meeting in respect thereto. Commissioner Roland commented on the litigation as to the payment of the fee on the condemnation case, and stated that it was his understanding that if the case were allowed to go beyond the appeal date that it would be in a status quo position and it would be necessary that a decision be rendered by the Judge as to whether or not the case was abandoned, and if abandoned, the

amount of fee to be paid.

The Port Manager reported that on March 6 the Alcor Aircraft Corporation had successfully tested its new plane at the Oakland Municipal Airport and that new Bat wing plane recently manufactured in Alameda was also tested; further, that the Boeing trainer plane, which is being completed in the Boeing School shops will be ready for tests about May 15.

The Port Manager reported as follows on the status of certain funds as of March 4, 1938:

<u>Harbor Maintenance and Improvement Fund (No. 226)</u>	
Unencumbered Cash Balance as of March 4, 1938.....	\$ 52,488.37
Set up in Special Funds 220 and 222.....	95,000.00
Total Unencumbered Cash in all revenue funds as of	
March 4, 1938.....	147,488.37
Total Unencumbered Cash in all revenue funds as of	
February 28, 1938.....	135,007.41
<u>1925 Oakland Harbor Improvement Fund (No. 567)</u>	
Cash Balance as of March 4, 1938.....	158,231.48

The report of the Port Manager on progress of the Port for February, 1938, was filed.

The report of the Port Manager submitting statement of Fund No. 226 condition for February 1938, compared with February 1937 and January 1938, as prepared by the Port Accountant, was filed.

The report of the Port Manager submitting report of operation at Oakland Municipal Airport for month of February 1938, showing average storage of 96 planes at the Airport, was filed.

In respect to the purchase of a grease rack proposed to be purchased for the maintenance of the Port's automobiles, the Assistant Port Manager and Assistant Chief Engineer reported that he had investigated the various types of equipment on the market and recommended the purchase of the Walker Electric Hoist type of equipment at a cost of \$315.00, plus sales tax. The Board authorized the purchase of the grease rack as recommended.

The reports of the Auditing Committee on weekly pay rolls and claims and demands were adopted.

The following resolutions were introduced and passed by the following vote:

AYES: Commissioners Colbourn, Fisher, Roland, and President McElroy -4-  
 NOES: None  
 ABSENT: Commissioner Pardee -1-

"RESOLUTION NO. 4562

RESOLUTION APPROVING WEEKLY PAY  
 ROLLS, RATIFYING ALL HIRINGS AND  
 EMPLOYMENTS THEREIN AND REIMBURSING  
 PORT REVOLVING FUND.

BE IT RESOLVED that the weekly pay rolls for the weeks ending

"RESOLUTION NO. 4568

RESOLUTION EXTENDING LEAVE OF ABSENCE HERETOFORE GRANTED R. HORROCKS, PORT MAINTENANCE LABORER.

RESOLVED that the leave of absence heretofore granted R. Horrocks, Port Maintenance Laborer (Port Ordinance No. 222, Section 5.03), is hereby extended for a further period of 35 consecutive days commencing February 25, on account of the continued illness of said employe, said period to be without compensation."

The Port Manager reported that he had conferred with Mr. J. C. Johnson, President of the S. T. Johnson Co., in respect to the rental of the proposed 25-year lease on port property occupied by the S. T. Johnson Co. at Nineteenth Avenue and Livingston Street. He reported that Mr. Johnson had stated that he could not see his way clear to pay any higher rental than \$125.00 per month, and that the Board's offer of \$150.00 per month was not acceptable to them.

Pursuant to Resolutions No. 4544, 4555, and 4553 and advertising for five consecutive days in the city's official newspaper, bids for Clam Shell Dredging, Furnishing and Delivering Concrete Pipe and Printing, Binding and Delivering of the Monthly House Organ were received between the hours of 3:30 and 4:30 p.m. At the hour of 4:30 p.m., the following bids, being all the bids received, were publicly opened:

CLAM SHELL DREDGING, HARBOR ADJACENT TO SMITH LUMBER COMPANY'S WHARF, BROOKLYN BASIN, INNER HARBOR, OAKLAND.

Table with 4 columns: BIDDER, PER CU. YD., TOTAL BID, CERTIFIED CHECK. Rows include American Dredging Company, Daniel Contracting Company, and C. Dudley De Velbiss.

BIDS FOR CONCRETE PIPE

Table with 4 columns: BIDDER, PER LIN. FT., TOTAL BID, CERTIFIED CHECK. Rows include Calif. Concrete Products Co. and Amer. Concrete Steel Pipe Co.

PRINTING, BINDING AND DELIVERY OF THE MONTHLY HOUSE ORGAN

Table with 4 columns: BIDDER, PER ISSUE BID, TOTAL BID, CERTIFIED CHECK. Rows include The Tribune Publishing Company, Goodhue Printing Company, Greenwood Printers Ltd., James J. Gillick & Co., Inc., and Lederer, Street & Zeus Co., Inc.

These bids were referred to the Port Attorney as to legality and the Port Manager for recommendation as to acceptance of the bids.

ADJOURNED.

Handwritten signature of the Secretary over the printed word SECRETARY.

(b) That the Federal Emergency Administration of Public Works shall approve such assignment if its rules require such approval;

(c) That the Board be furnished with a writing by Massachusetts Bonding and Insurance Company, in such number of copies as may be required, consenting to such assignment;

(d) That the Board be furnished with proof that the insurance policies, as to which certificates are attached to said contract, have been transferred to and cover the operations of the assignee."

"RESOLUTION NO. 4565

RESOLUTION EXPRESSING THANKS  
TO RICHARD A. CARRINGTON, JR.,  
FOR THE PART HE PLAYED IN  
ASSISTING TO BUILD UP OAKLAND  
AS A SHIPPING AND AVIATION  
CENTER.

WHEREAS, it has been announced that Richard A. Carrington, Jr., is terminating his work in Oakland as publisher of the Oakland Post-Enquirer to accept higher responsibilities in Los Angeles as publisher of the Los Angeles Examiner, and

WHEREAS, during the twelve years that he served as publisher of the Oakland Post-Enquirer, Richard A. Carrington, Jr., earnestly sought to promote the best interests of the City of Oakland, both through his personal counsel and advice, and through the medium of the Oakland Post-Enquirer, and particularly gave splendid support to the successful efforts of the municipality to establish its Port and Airport as shipping and aviation centers of world importance, now, therefore, be it

RESOLVED: That the Board of Port Commissioners does hereby formally express its thanks to Richard A. Carrington, Jr., for his civic interest and generous assistance in behalf of the City's commercial and industrial welfare, and further expresses the wish that success may continue to follow his publishing efforts which are now transferred to the City of Los Angeles; and be it further

RESOLVED: That certified copies of this resolution be sent to Richard A. Carrington, Jr., and to his Editor-in-Chief, William Randolph Hearst."

"RESOLUTION NO. 4566

RESOLUTION RATIFYING, CONFIRMING  
AND APPROVING APPOINTMENT OF  
DOROTHY L. SCHMITT TO POSITION  
OF SENIOR FILE CLERK.

RESOLVED that the action of the Port Manager in making the following regular appointment is hereby ratified, confirmed and approved by this Board:

Dorothy L. Schmitt, Senior File Clerk, (Port Ordinance No. 222, Section 2.06) \$125 per month - appointment effective March 1, 1938."

"RESOLUTION NO. 4567

RESOLUTION APPROVING TEMPORARY  
APPOINTMENT OF VERNA M. SCHOEN  
TO POSITION OF INTERMEDIATE  
STENOGRAPHER-CLERK.

RESOLVED that the following temporary appointment is hereby approved by this Board:

Verna M. Schoen, Intermediate Stenographer-Clerk (Port Ordinance No. 222, Section 7.08) - \$100 per month - appointment effective March 3, 1938."

"RESOLUTION NO. 4568

RESOLUTION EXTENDING LEAVE OF ABSENCE HERETOFORE GRANTED R. HORROCKS, PORT MAINTENANCE LABORER.

RESOLVED that the leave of absence heretofore granted R. Horrocks, Port Maintenance Laborer (Port Ordinance No. 222, Section 5.03), is hereby extended for a further period of 35 consecutive days commencing February 25, on account of the continued illness of said employe, said period to be without compensation."

The Port Manager reported that he had conferred with Mr. J. C. Johnson, President of the S. T. Johnson Co., in respect to the rental of the proposed 25-year lease on port property occupied by the S. T. Johnson Co. at Nineteenth Avenue and Livingston Street. He reported that Mr. Johnson had stated that he could not see his way clear to pay any higher rental than \$125.00 per month, and that the Board's offer of \$150.00 per month was not acceptable to them.

Pursuant to Resolutions No. 4544, 4555, and 4553 and advertising for five consecutive days in the city's official newspaper, bids for Clam Shell Dredging, Furnishing and Delivering Concrete Pipe and Printing, Binding and Delivering of the Monthly House Organ were received between the hours of 3:30 and 4:30 p.m. At the hour of 4:30 p.m., the following bids, being all the bids received, were publicly opened:

CLAM SHELL DREDGING, HARBOR ADJACENT TO SMITH LUMBER COMPANY'S WHARF, BROOKLYN BASIN, INNER HARBOR, OAKLAND.

Table with 4 columns: BIDDER, PER CU. YD., TOTAL BID, CERTIFIED CHECK. Rows include American Dredging Company, Daniel Contracting Company, and C. Dudley De Velbiss.

BIDS FOR CONCRETE PIPE

Table with 4 columns: BIDDER, PER LIN. FT., TOTAL BID, CERTIFIED CHECK. Rows include Calif. Concrete Products Co. and Amer. Concrete Steel Pipe Co.

PRINTING, BINDING AND DELIVERY OF THE MONTHLY HOUSE ORGAN

Table with 4 columns: BIDDER, PER ISSUE BID, TOTAL BID, CERTIFIED CHECK. Rows include The Tribune Publishing Company, Goodhue Printing Company, Greenwood Printers Ltd., James J. Gillick & Co., Inc., and Lederer, Street & Zeus Co., Inc.

These bids were referred to the Port Attorney as to legality and the Port Manager for recommendation as to acceptance of the bids.

ADJOURNED.

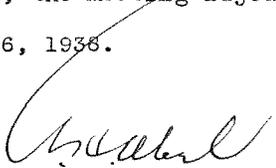
Handwritten signature and the word SECRETARY printed below a horizontal line.

## REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

of the

PORT OF OAKLAND

At the regular meeting to be held Monday, March 14, 1938, at the hour of 3:30 p.m., there being no quorum present, the meeting adjourned to the hour of 4:00 o'clock p.m., of Wednesday, March 16, 1938.




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 S E C R E T A R Y
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ADJOURNED MEETING OF THE BOARD OF PORT COMMISSIONERS

OF THE

PORT OF OAKLAND

Held on Wednesday, March 16, 1938, at the hour of 4:00 p.m., in the office of the Board, Room 75, Grove Street Pier, due written notice of such meeting having been given members of the Board.

Commissioners present: Colbourn, Fisher, Roland and President  
McElroy -4-

Commissioner absent: Pardee -1-

The Port Manager, Port Attorney, and Assistant Chief Engineer were also present.

The minutes of the regular meetings of March 7 and March 14, 1938, were approved as read and adopted.

Communication from O. C. Richerson, Division Superintendent, United Air Lines Transport Corporation, requesting that a metal guard be placed along the fence at Hangar No. 5 Passenger Concourse to prevent accidents to on-lookers by the wash from airplane propellers, was read. The Port Manager explained that the corrugated galvanized iron guard could be mounted on the existing fence enclosing the concourse at an estimated cost of \$150.00, and the Board directed the Port Manager to arrange for the placing of the guard as requested.

Communication from R. A. Carrington, Jr., Publisher of the Los Angeles Examiner, expressing appreciation to the Board for its recent resolution in his behalf, was filed.

Communication from J. F. Douglas, Vice-President of the Carnation Co., transmitting the 38th Annual Statement of his company, was filed.

Communication from Thomas M. Woodward of the United States Maritime

Commission, expressing appreciation for the fine presentation made by the Port at its recent Trade Route Hearing held in San Francisco, together with the many courtesies extended to him at the time of his visit, was filed.

Communication from the Port Manager recommending placing of advertisement in Year Book of Western Canner and Packer at a cost of \$100.00, was read and authorization granted.

Communication from the Retail Grocers Association of Alameda County, Inc., requesting the placing of a port exhibit in their forthcoming food show, April 2 to 9 inclusive, at a cost of \$110.00 for booth space, was read and after discussion the Port Manager was directed to advise the Retail Grocers Association that exhibit space would not be taken for this year's food show.

Copy of letter from President McElroy to Senator Burton K. Wheeler, Chairman of the Senate Interstate Commerce Committee, relative to the Pettengill Bill, was filed.

Communication from Miss Ruth Stucky, Secretary of Counselors Club of principals and vice-principals of Oakland schools and members of individual guidance staff, inviting the Board to a luncheon to be held at the Oakland Municipal Airport Hotel on Saturday, March 19, at 1:00 p.m., was read and the Port Manager directed to express the Board's appreciation of the invitation and advise Miss Stucky that a representative of the Board would be present at their luncheon.

In connection with the Stockton European case before the U. S. Maritime Commission, the Port Attorney reported that the hearing was terminated on March 15 after seventeen days of trial and that the Port of Oakland's evidence and exhibits had been well received and will, undoubtedly, have an important influence on the decision. He further stated that he was of the opinion that testimony, as given by the Port Manager and Traffic Manager, was very effective.

The Port Manager stated, in this connection, that he had received a number of compliments from various sources, including private terminals, on the showing which the Port of Oakland had made at the hearing. The Port Attorney stated that Mr. Robert M. Furniss, Examiner for the Maritime Commission in charge of the hearing, had allowed sixty days for the filing of briefs; further that it was the general impression that Stockton's demand for terminal steamship rates in the European service will not prevail.

The Port Attorney reported that brief for filing in the Supreme Court in Long Beach tideland case, which involves the issues as to the State's ownership of minerals, has been prepared and will be filed March 18.

The Port Attorney reported that he had checked and approved brief as amicus curium on behalf of the American Association of Port Authorities in United States Supreme Court case involving issue of Federal control of ports, and further, that he had held a conference with the Attorney General's office which is filing a brief with the Supreme Court on behalf of the California State Harbor Board.

The Port Attorney reported that the U. S. Maritime Commission, in connection with a Philadelphia port case, had held that private terminal operators are subject to its jurisdiction and that he would further investigate the decision to determine whether jurisdiction of the State Railroad Commission over private terminals is affected.

The Port Manager reported that word had just been received that Presidential approval had been given to the Works Progress Administration Project for further improvement of the Oakland Municipal Airport in which Federal funds in the amount of \$473,280.00 were being pledged.

The Port Manager reported that the new Lockheed transport plane was further tested at the Oakland Municipal Airport on Sunday, March 14; that the plane is powered with two Menasco motors each of 260 H.P. and made a speed of 211 miles per hour with a gross load of 6200 pounds. It was further reported that Mr. Lockheed had advised that he had received flattering offers from Los Angeles and San Francisco for the location of his plant, and that Mr. Horsman, President of the Alcor Co. had stated that they are now arranging for finances to undertake production and will discuss the matter of a factory at an early date.

In respect to the Marine Strike situation the Port Manager stated that the Los Angeles Port was tied up in jurisdictional fight between the A. F. of L. and C. I. O. with eighteen vessels idle, which may result in some vessels being diverted to San Francisco Bay for unloading and that there was also a possibility of the tieup spreading to other Pacific Coast ports, although it is believed that the matter will be confined to Los Angeles. It was further reported that Edw. Vandeuleur, Secretary of the California State Federation of Labor, addressing the Third Western Drivers Conference in San Francisco, stated that there was a possibility of a showdown fight between the A. F. of L. and C. I. O. on the San Francisco Bay waterfront in respect to the operation of Alaska cannery boats, which will start north about April 1.

The Port Manager reported as follows on the status of certain funds as of March 11, 1938:

Harbor Maintenance and Improvement Fund (No. 226)

Unencumbered Cash Balance as of March 11, 1938.....\$ 63,550.84  
Set up in Special Funds 220 and 222..... 95,000.00  
Total Unencumbered Cash in all revenue funds as  
of March 11, 1938..... 158,550.84  
Total Unencumbered Cash in all revenue funds as  
of February 28, 1938..... 135,007.41

1925 Oakland Harbor Improvement Fund (No. 567)

Cash Balance as of March 11, 1938..... 158,231.48

The report of the Port Manager on bids received on March 7 for Clam Shell Dredging at Smith Lumber Co. Dock, Seven hundred feet of 30" Concrete Pipe and Printing, Binding and Delivering the "Compass", was filed.

Attorney

The report of the Port/relative to Special Session of the Legislature, which adjourned March 19, was filed.

The Port Manager reported that he had received telephone advice from Mr. Tom Crowley that he was not agreeable to pay a rental of \$225.00 per month for proposed lease on property in Brooklyn Basin now occupied by him, Mr. Crowley having stated that the amount of rental was, in his estimation, entirely out of reason, and that he would await the outcome of the Board's negotiations with the American Dredging Co. in respect to property occupied by them before further discussing with the Board the matter of entering into a lease. Following the discussion of the matter, it was the consensus of the Board that the Crowley lease matter should be brought to immediate issue and to this end the Port Manager and Port Attorney were requested to submit further data and plan of procedure in bringing the matter to an issue.

The Port Manager reported that he would meet with Mr. J. C. Johnson, President of the S. T. Johnson Co., during the week and would present to him the Board's compromise offer of \$137.50 per month for lease on the property occupied by his company at the foot of Nineteenth and Livingston Street.

The report of the Auditing Committee on claims and demands, as corrected, was adopted.

The following resolution was introduced and passed by the following vote:

AYES: Commissioners Colbourn, Fisher, and President McElroy -3-  
NOES: None  
ABSENT: Commissioner Pardee -1-  
NOT VOTING: Commissioner Roland -1-

"RESOLUTION NO. 4569

RESOLUTION APPROVING AND ALLOWING  
CERTAIN CLAIMS AND DEMANDS.

RESOLVED: That the following claims and demands, having been approved by the Auditing Committee, be and the same are hereby approved and allowed by the Board of Port Commissioners and the Auditor is authorized to draw his warrant for the same out of the proper Fund:

## HARBOR MAINTENANCE AND IMPROVEMENT FUND:

Acme Scales Company	\$ .52
Air Reduction Sales Co.	22.72
The Airport Directory Company	1.50
American Bag & Union Hide Co.	16.66
Baker, Hamilton & Pacific Company	65.76
Bendix Radio Corporation	16.80
Geo. R. Borrmann Steel Company	65.13
Frank R. Brown	44.10
Burroughs Adding Machine Company	1.55
California Concrete Products Co.	8.85
J. Catucci	630.08
L. M. Clough Co.	240.72
Cochran & Celli	799.75
Columbia Wood and Metal Preservative Co.	90.64
Henry Cowell Lime and Cement Co.	54.84
H. S. Crocker Company, Inc.	22.72
D. & H. Manufacturing Co.	8.24
W. S. Dickey Clay Mfg. Co.	27.25
East Bay Blue Print & Supply Co.	104.45
East Bay Municipal Utility District	2.46
East Oakland Auto Top Shop	4.50
The Electric Corporation of Oakland	2.88
Firestone Auto Supply & Service Stores	168.38
Goodhue Printing Company, Inc.	108.16
Graybar Electric Company, Inc.	8.93
Greenwood Printers Ltd.	34.25
E. R. Hatherly Company	4.00
Heafey-Moore Co., Inc.	71.74
Herrick Iron Works	148.32
International Business Machines Corporation	15.50
L. N. "Len" Johnson-Typewriters	25.00
Kling-Dawers Stationery Co., Inc.	8.33
Laher Spring & Tire Service	6.76
Laird's Stationery	12.70
Lawton & Williams	29.15
Marchant Calculating Machine Company	19.92
C. W. Marwedel	9.25
Maxwell Wholesale Hardware Company	38.84
Melrose Building Materials Co.	73.97
Melrose Lumber & Supply Co.	15.14
Albert C. Moe	6.95
National Lead Company	18.42
Sidney M. Hauptman, Trustee, National Mill & Lumber Company	15.00
Oakland Airport Inn	4.90
Oakland Association of Insurance Agents	109.18
Oakland Battery Co.	1.00
Oakland Plumbing Supply Co.	8.06
Pacific Coast Aggregates, Inc.	269.82
Pacific Tool and Supply Company	4.52
Phoenix Iron Works	141.63
Phoenix Photo Engraving Co.	19.78
Piedmont Lumber & Mill Co.	6.46
R. L. Polk & Co.	15.45
The Post-Enquirer	322.56
Ransome Company	92.79
Rhodes & Jamieson, Ltd.	40.85
Richfield Oil Corporation	6.76
Rio Grande Oil, Inc.	125.00
The Ross Carrier Company	70.68
Sanders Glass Company	25.90
A. D. Schader	46.14
Schirmacher Co.	2.80
Sentinel Sanitary Supply Company	11.36
Sevals & Hedlund	2.33
Shell Oil Company	5.00
B. Simon Hardware Co.	67.96
Smith Brothers, Inc.	19.69
Southern Pacific Company	13.00
Sterling Press	9.53
Strable Hardwood Company	26.25

Straub Manufacturing Co., Inc.	\$	38.88
Clyde Sunderland		10.56
Tide Water Associated Oil Company		20.69
The Tribune Press		3.86
The Tribune Publishing Co.		48.79
Walworth California Company		5.00
Waters Bros., Inc.		1.01
E. C. Wenger Company		5.24
Westinghouse Electric Supply Company		12.97
E. K. Wood Lumber Co.		78.19
Zellerbach Paper Company		28.72
H. G. Adam		21.02
M. D. McCarl		14.60
R. N. Ricketts		21.20
		<u>\$4,850.96"</u>

The following resolutions were introduced and passed by the following vote:

- AYES: Commissioners Colbourn, Fisher, Roland, and President McElroy -4-
- NOES: None
- ABSENT: Commissioner Pardee -1-

"RESOLUTION NO. 4570

RESOLUTION AWARDING CONTRACT FOR PRINTING, BINDING AND DELIVERING OF MONTHLY HOUSE ORGAN ENTITLED "PORT OF OAKLAND COMPASS."

Whereas, upon the receipt of bids for the printing, binding and delivering of the monthly house organ entitled "Port of Oakland Compass" The Tribune Publishing Co., a corporation, filed a flat bid of \$175 for each monthly issue of 4,000 copies, comprising 16 pages and cover, which bid includes sales tax, and such bidder is and is hereby found to be the lowest responsible bidder, now therefore,

BE IT RESOLVED that a bond in the amount of \$1,000 for the faithful performance of the work shall be required, and that the procedure prescribed by law be taken for the execution of such contract.

BE IT FURTHER RESOLVED that the other bids received for said contract be and the same are hereby rejected, and the checks accompanying the same shall be returned to the proper persons."

"RESOLUTION NO. 4571

RESOLUTION AWARDING CONTRACT FOR CLAM SHELL DREDGING.

RESOLVED that the contract for the performance of clam shell dredging in the harbor adjacent to Smith Lumber Company's wharf in the Brooklyn Basin of the Port of Oakland, be and the same is hereby awarded to Daniel Contracting Co., a corporation, in accordance with the terms of its bid, filed March 7, 1938.

BE IT FURTHER RESOLVED that, pursuant to the specifications, the certified check accompanying the bid of said Company shall be held as bond as a guarantee of the performance of said dredging, whereupon said certified check shall be returned to said Company.

BE IT FURTHER RESOLVED that the other bids received for said contract be and the same are hereby rejected, and the checks accompanying the same shall be returned to the proper persons."

"RESOLUTION NO. 4572

RESOLUTION AWARDING CONTRACT FOR  
FURNISHING AND DELIVERING CONCRETE  
PIPE TO OUTER HARBOR TERMINAL.

RESOLVED that the contract for the furnishing and delivering of concrete pipe to Outer Harbor Terminal, Oakland, California, be and the same is hereby awarded to American Concrete & Steel Pipe Co., a corporation, in accordance with the terms of its bid, filed March 7, 1938.

BE IT FURTHER RESOLVED that, pursuant to the specifications, the certified check accompanying the bid of said Company shall be held as bond as a guarantee of the delivery of said concrete pipe, whereupon said certified check shall be returned to said Company.

BE IT FURTHER RESOLVED that the other bid received for said contract be and the same is hereby rejected and the check accompanying it shall be returned to the proper person."

"RESOLUTION NO. 4573

RESOLUTION AUTHORIZING EXECUTION OF  
AGREEMENT WITH PACIFIC OIL SALES  
COMPANY.

BE IT RESOLVED that the President of this Board be and he is hereby authorized to execute an agreement with C. W. Pratt, C. W. Klein and E. G. Nielson, co-partners doing business under the style of Pacific Oil Sales Company, as Licensee, covering the use of an area of approximately 29,960 square feet near North Industrial Building No. 1, Outer Harbor Terminal area as an oil reclaiming plant, for a period commencing February 1, 1938, and ending January 31, 1939, at a monthly rental of \$55.00, said agreement being in form approved by the Port Attorney."

"RESOLUTION NO. 4574

RESOLUTION AUTHORIZING EXECUTION OF  
AGREEMENT WITH THE TEXAS COMPANY.

BE IT RESOLVED that the President of this Board be and he is hereby authorized to execute an agreement with The Texas Company, a California corporation, as Licensee, covering the storage, sale and distribution of petroleum products on an area of approximately 1.1 acres at the northwest corner of 19th Avenue and Dennison Street, Oakland, for a period commencing February 1, 1938, to and including January 31, 1939, at a monthly rental of \$250.00, said agreement being in form approved by the Port Attorney."

"RESOLUTION NO. 4575

RESOLUTION RATIFYING, CONFIRMING  
AND APPROVING APPOINTMENT OF  
JOHAN O. BERGDAHL TO POSITION OF  
LUMBER CARRIER OPERATOR.

RESOLVED that the action of the Port Manager in making the following appointment is hereby ratified, confirmed and approved by this Board:

Johan O. Bergdahl, Lumber Carrier Operator, (Port Ordinance No. 222, Section 8.19) - \$.825 S.T. per hour, and \$1.22 O.T. per hour - appointment effective March 7, 1938."

ADJOURNED.



SECRETARY

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

of the  
PORT OF OAKLAND

Held on Monday, March 21, 1938, at the hour of 3:30 p.m., in the office of the Board, Room 75, Grove Street Pier, due written notice of such meeting having been given members of the Board.

Commissioners present: Colbourn, Fisher, Pardee, Roland, and  
President McElroy -5-

Commissioners absent: None

The Port Manager, Port Attorney, and Assistant Chief Engineer were also present.

The minutes of the adjourned meeting of March 16, 1938, were read, approved, and adopted.

Communication from the Works Progress Administration referring to approval of Airport Project 0803-1225, and requesting plans and specifications for approval so that the project may be put in line for operation, was filed. The Port Manager reported that the necessary plans and specifications for the proposed project were being forwarded as requested.

Copy of telegram sent to Congressmen Carter and Tolan in respect to Lea Bill H. R. 9738, providing for placing control of aeronautics under a special commission and urging that the Bill be amended to provide for Federal aid to terminal airports, such as the Oakland Municipal Airport, was filed.

Communication from the Port Manager recommending that unused Federal funds be used in providing an extension of berthing space to the Ninth Avenue Pier Extension in Clinton Basin slip, was read and resolution later passed authorizing the Port Manager to make arrangements with the Public Works Administration and Healy-Tibbitts Construction Co. for the carrying out of additional work as recommended.

Communication from the Port Manager submitting further data and recommendation in respect to proposed lease of port property to E. K. Wood Lumber Co. in Brooklyn Basin area, was read, and after discussion, the Port Manager was directed to transmit to E. K. Wood Lumber Co. an offer of an annual rental of \$3800.00 for the 4.2 acres of Port property, plus all dockage and tolls on shipments passing over the wharf with a guarantee of \$1800.00 in dockage and tolls per annum. It was the consensus of the Board that the lease on the property should not exceed fifteen years, and the Port Manager was directed to in-

corporate this term of lease in the offer to be transmitted.

Communication from the Port Manager submitting data relative to improving facilities at Dennison Street Wharf and recommending construction of an additional entrance to the wharf at an estimated cost of \$3,000.00, was read and authorization granted for carrying out the proposed additional work under the Works Project Administration project for the rehabilitation of Dennison Street Wharf, which is now in progress.

Communication from the Port Manager relative to request of the U. S. Naval Reserve for installation of necessary electric wiring for a Demagnetizer in Hangar No. 3, at the Oakland Municipal Airport, was read. The Port Manager explained that the cost of the entire installation would be \$153.00 but that the Navy would furnish sufficient materials for use by the Port, which would offset this cost. The Board authorized the Port Manager to proceed with the installation of the electric wiring as requested.

Communication from the Port Manager in respect to the proposed S. T. Johnson Co. lease, setting forth that the S. T. Johnson Co. would be willing to enter into a lease on the basis of \$137.50 rental per month provided the Board would do certain maintenance work on the existing structures estimated to cost in the neighborhood of \$200.00, was read. After discussion, the Port Manager was directed to advise the S. T. Johnson Co. that the Board's offer of \$137.50 per month did not contemplate performance of any maintenance work, and further, that the term of lease would be for a period of not to exceed ten years.

The Port Manager reported that the Works Progress Administration had submitted a bid for the rental of 28,000 square feet in the Board's warehouse at Nineteenth Avenue and Twenty-second Avenue at a monthly rental of \$200.00 for a period of one year commencing April 1, 1938. It was noted that the proposed East Shore Highway passes through this structure and that provision had been made in the lease for termination on thirty days' written notice, and the Board later passed a resolution authorizing the lease for the space as requested.

In connection with the furtherance of negotiations with the F.E. Booth Co. for facilities at the Outer Harbor, the Port Manager advised that he had further conferred with them and they had stated that they were continuing the discussion of their plans for the removal of their plant from Pittsburg to Oakland, and that if it were not possible, due to the time limitation, to make the transfer this year, they have it in mind for 1939.

The Port Manager further reported that indications were that regardless of whether or not provisions would be made for the transference of their operations

to the Outer Harbor Terminal this year, that there would be routed through the Port facilities some of their tonnage which heretofore has not been available.

President McElroy reported that he had represented the Board at a luncheon meeting of the Counselors' Club, composed of school principals and vice principals, which was held at the Oakland Municipal Airport on March 19, and that an inspection of the Airport followed the luncheon.

The Port Attorney reported that a conference was had with the District Attorney's office and City Attorney's office, at which it appeared that the County authorities would possibly grant a refund to the Pacific Steel and Wire Company of the taxes paid upon the improvements since June 30, 1936, and that this might permit the closing of the existing escrow arrangement.

The Port Manager reported that the Port of Los Angeles was still closed due to labor trouble and that some vessels with cargo for Los Angeles were being discharged at the Port. It is believed, however, that the dispute of the waterfront unions will be arbitrated and the Port of Los Angeles be opened in the near future.

The Port Manager reported that the past due account of Fillmore Flying Service in the amount of \$560.43, and that of Duck Air Services amounting to \$411.13, were not being materially reduced and recommended that steps be taken to force the payment of their past due rentals. The Port Attorney was directed to serve notice on these two tenants and force collection of the accounts.

The Port Manager submitted draft of letter addressed to Mr. Tom Crowley, who occupies Port Property in the Brooklyn Basin at the foot of Fourteenth Avenue, and the Board directed that the letter, demanding payment of \$225.00 per month rental for the property occupied by him, be forwarded.

The Port Manager reported that on the night of March 18 a drowning man had been rescued at Grove Street Pier by Port Watchman Emory Blunkall and that he had commended Mr. Blunkall for his prompt action in the performance of his duty.

The report of the Port Manager, as follows, on the status of certain funds as of March 18, 1938, was filed:

<u>Harbor Maintenance and Improvement Fund (No. 226)</u>	
Unencumbered Cash Balance as of March 18, 1938.....	\$ 56,179.82
Set up in Special Funds 220 and 222.....	95,000.000
Total Unencumbered Cash in all revenue funds as	
of March 18, 1938.....	151,179.82
Total Unencumbered Cash in all revenue funds as	
of February 28, 1938.....	135,007.41

<u>1925 Oakland Harbor Improvement Fund (No. 567)</u>	
Cash Balance as of March 18, 1938.....	168,694.15

The report of the Auditing Committee on special claim of James Keith in the amount of \$5,000.00 for the purchase of a forty-acre tract easterly and adjoining the Oakland Municipal Airport, was adopted.

The reports of the Auditing Committee on weekly pay rolls and claims and demands were adopted.

The following resolutions were introduced and passed by the following vote:

AYES: Commissioners Colbourn, Fisher, Pardee, Roland and  
President McElroy -5-  
NOES: None  
ABSENT: None

"RESOLUTION NO. 4576

RESOLUTION APPROVING WEEKLY PAY ROLLS, RATIFYING ALL HIRINGS AND EMPLOYMENTS THEREIN AND REIMBURSING PORT REVOLVING FUND.

BE IT RESOLVED that the weekly pay rolls for the weeks ending March 8 and March 15, 1938, be and the same are hereby approved and the hiring or employment of each and all of the services therein set forth at the compensations therein paid is hereby ratified, confirmed and approved, and

BE IT FURTHER RESOLVED that the demand against the Harbor Maintenance and Improvement Fund for the reimbursement of the Port Revolving Fund in the amount set forth therein, having been approved by the Auditing Committee, is hereby approved and allowed, and the City Auditor be and he is hereby authorized and directed to draw his warrant for the same and make such reimbursement.

HARBOR MAINTENANCE AND IMPROVEMENT FUND:  
Port Revolving Fund Pay Rolls - \$1,096.53."

"RESOLUTION NO. 4577

RESOLUTION APPROVING AND ALLOWING CERTAIN CLAIMS AND DEMANDS.

RESOLVED: That the following claims and demands, having been approved by the Auditing Committee, be and the same are hereby approved and allowed by the Board of Port Commissioners and the Auditor is authorized to draw his warrant for the same out of the proper Fund:

HARBOR MAINTENANCE AND IMPROVEMENT FUND:

J. S. Saunders	\$	6.56
Air Reduction Sales Co.		46.88
The Airport Directory Company		53.00
Alameda County Title Insurance Company		10.00
American Bitumuls Company		17.77
American Brass and Copper Co.		30.67
Baker, Hamilton & Pacific Company		45.25
The C. A. Bischoff Surgical Co.		20.98
Geo. R. Borrman Steel Company		87.02
Burroughs Adding Machine Company		8.00
Cameron's Inc.		40.14
City of Oakland - Dept. of Streets		252.36
L. M. Clough		139.13
Cochran & Celli		17.57
Columbia Wood and Metal Preservative Co.		169.95
Henry Cowell Lime and Cement Co.		3.68
H. S. Crocker Company, Inc.		29.53

The Electric Corporation of Oakland	\$ 4.82
Empire Foundry Co., Inc.	3.00
Fairbanks, Morse & Co.	4.50
Firestone Auto Supply & Service Stores	41.15
General Petroleum Corporation of California	22.66
H. & M. C. Co., Inc.	13.40
Herriok Iron Works	107.12
Hersey Manufacturing Company	63.81
Hogan Lumber Company	134.60
E. & R. James Co.	15.39
International Business Machines Corporation	5.00
S. T. Johnson Co.	30.90
Kling-Dawers Stationery Co., Inc.	12.10
Geo. A. Kreplin Co.	2.77
Libby, McNeill & Libby	33.82
Laher Spring & Tire Service	31.50
C. W. Marwedel	18.75
Maxwell Wholesale Hardware Company	161.60
R. F. McGuinness	5.00
Melrose Lumber & Supply Co.	87.83
National Lead Company	128.15
Negretti & Zambra	9.09
Oakland Plumbing Supply Co.	20.23
The Pacific Telephone and Telegraph Company	225.20
Pacific Tool and Supply Company	52.13
The Paraffine Companies, Inc.	71.38
Piedmont Lumber & Mill Co.	16.72
Remington Rand Inc.	1.75
Rio Grande Oil, Inc.	193.75
Sanders Glass Company	20.60
San Francisco Bay Carloading Conference	5.00
Schirmacher Co.	2.90
Shell Oil Company	20.19
Shields, Harper & Co.	11.54
B. Simon Hardware Co.	12.47
Smith Brothers, Inc.	33.99
Smith Lumber Company	28.94
Southern Pacific Company	8.05
Standard Oil Company of California	25.75
Strable Hardwood Company	15.91
Straub Manufacturing Co., Inc.	1.25
Supervisor of Documents	.25
The Texas Company	1.90
Tide Water Associated Oil Company	12.32
The Tribune Publishing Co.	12.00
Union Paper Company	18.65
United Iron Works	8.03
U. S. Coast and Geodetic Survey	3.80
Chester N. Weaver Co.	1.24
E. C. Wenger Company	2.48
E. K. Wood Lumber Co.	41.97
Zellerbach Paper Company	6.36
Port Revolving Fund - Misc.	844.04
Pay Rolls - Administrative Department	2,081.05
" - Airport	860.00
" - Engineering Department	2,212.00
" - Grove & Market Street Piers	1,823.93
" - Maintenance Department	2,829.36
" - Ninth Avenue Pier	510.27
" - Outer Harbor Terminal	5,019.44
" - Traffic Department	1,487.50
	<u>\$20,459.79"</u>

"RESOLUTION NO. 4578

RESOLUTION AUTHORIZING ADDITIONAL WORK  
IN CONNECTION WITH EXTENSION TO NINTH  
AVENUE PIER.

BE IT RESOLVED that the plans and specifications submitted by the Port Manager for additional work in connection with the contract for the extension to Ninth Avenue Pier, Auditor's No. 6412, consisting in the erection of two dolphins with a connecting walkway and certain dredging, at an estimated cost of \$4100.00, of which

\$1845.00 is available from PWA funds, together with the manner of payment therefor, be and the same are hereby approved; and be it further

RESOLVED that the Port Manager be and he is hereby authorized to make necessary arrangements with the Federal Emergency Administration of Public Works and the contractor, Healy-Tibbitts Construction Co., for the performance of such additional work in accordance with the provisions of such contract."

"RESOLUTION NO. 4579

RESOLUTION AUTHORIZING LEASE WITH WORKS PROGRESS ADMINISTRATION.

BE IT RESOLVED that the Port Manager be and he is hereby authorized to enter into a lease with the United States of America providing for the occupancy by Works Progress Administration of 28,600 square feet in the warehouse building at the foot of 19th Avenue, for a term of one (1) year commencing April 1, 1938, at a monthly rental of \$200.00. Such lease shall be made upon the standard form approved by the Secretary of the Treasury and may provide for a renewal from year to year, not to extend beyond June 30, 1940, and be subject to cancellation by either party upon thirty days' written notice."

"RESOLUTION NO. 4580

RESOLUTION AUTHORIZING AGREEMENT FOR RADIO RANGE STATION.

BE IT RESOLVED that the President of this Board be and he is hereby authorized to enter into an agreement with United States of America extending for a further period of one (1) year commencing July 1, 1938, that certain agreement dated July 1, 1933, providing for the maintenance and operation of a radio range station at Oakland Municipal Airport upon and subject to all the terms, covenants and conditions in the last mentioned agreement contained."

"RESOLUTION NO. 4581

RESOLUTION APPROVING BOND OF THE TRIBUNE PUBLISHING CO., a corporation.

RESOLVED that the bond of The Tribune Publishing Co., a corporation, executed by American Bonding Company of New York, in the amount of \$1,000 for the faithful performance of its contract with the City of Oakland for the printing of the monthly house organ entitled "Port of Oakland Compass" be and the same is hereby approved."

"RESOLUTION NO. 4582

RESOLUTION APPROVING AND ALLOWING CLAIM FOR THE PAYMENT OF \$5,000 TO JAMES KEITH FOR THE ACQUISITION OF LAND NEAR THE OAKLAND MUNICIPAL AIRPORT.

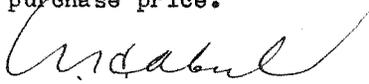
Whereas, through the adoption of Port Ordinances Nos. 272 and 277 by this Board, and Ordinance No. 795 C.M.S. by the City Council, which ordinances are now effective, provisions have been lawfully made for the acquisition of a parcel of land adjacent to and east of the Oakland Municipal Airport at a price of \$5,000 from James Keith; and

Whereas, said James Keith, because of alleged issues pertaining to encumbrances upon said land, has delayed tendering a deed of such property, and it is desired on the part of the City of Oakland to bring about a termination of such transaction, and the Port Manager has made a demand upon this Board for the approval of a claim in the required amount in order that a lawful tender thereof may be made to such owner; now, therefore, be it

RESOLVED that such claim is hereby approved and allowed, and the City Auditor be and he is authorized and directed to draw his warrant upon the City Treasurer from the Harbor Maintenance and

Improvement Fund, No. 480, in the sum of \$5,000 in favor of said James Keith and to deliver such warrant to the Port Manager for deposit in escrow as tender to said owner of the said purchase price."

ADJOURNED.

  
SECRETARY

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

of the

PORT OF OAKLAND

Held on Monday, March 28, 1938, at the hour of 3:30 p.m., in the office of the Board, Room 75, Grove Street Pier, due written notice of such meeting having been given members of the Board.

Commissioners present: Colbourn, Fisher, Pardee, Roland, and  
President McElroy -5-  
Commissioners absent: None

The Port Manager, Port Attorney, and Assistant Chief Engineer were also present.

The minutes of the regular meeting of March 21, 1938, were read, approved, and adopted.

Communication from the Richfield Oil Corporation, requesting permission to remove five lubricating oil tanks with 12,616 gallon capacity from their plant at Outer Harbor Terminal for use elsewhere, was read. The Port Manager called attention to agreement entered into with Richfield Oil Corporation, dated February 17, 1934, which permits the oil company to remove existing improvements provided other improvements are substituted therefor. The Board referred the matter to the Port Manager for investigation and report.

Communication from the Port Manager enclosing letter received from Wm. S. Culbertson, Oakland Chamber of Commerce representative in Washington, in reference to Oakland Supply Base matter, in which it was noted that the Navy is willing to continue to favor authorization of the Oakland Base as a \$6,500,000 project, instead of a \$15,000,000 project as originally set forth by it at the time negotiations were under way for the transfer of the Middle Harbor by the City to the Federal Government, was read. Copies of telegram sent to Congressman Tolan and his wire reply thereto, under date of February 26, in which he stated that the project was still for fifteen million dollars and that he was awaiting the return of Chairman Vinson of

the House Naval Affairs Committee when hearings on the Public Works bill will be started and in which bill the Oakland item is to be included, were filed.

Communication from Congressman Tolan replying to President McElroy's letter relative to Lea Bill, H. R. 9738, providing for placing control of aeronautics under a special commission, and advising that Congressman Lea is not in favor of an amendment to the bill requiring Federal aid to municipal terminal airports, was filed.

Port Manager's Certificate of Completion of contract of Hill & Morton for furnishing timbers and lumber to Dennison Street Wharf, was filed.

Port Manager's Certificate of Completion of contract of Ariss-Knapp Co., Inc. for base for oil macadam pavement, Maritime Street, Outer Harbor Terminal, was filed.

Communication from William Randolph Hearst expressing appreciation of Board's resolution in behalf of Mr. Carrington, former publisher of the Post Enquirer, was filed.

Copy of Port Manager's letter to E. K. Wood Lumber Co., transmitting the Board's latest offer of lease at rental of \$3800 per annum for 4.2 acres of land, plus all dockage and tolls with guarantee of \$1800 per annum, was filed.

Communication from the State Railroad Commission advising that it had received informal complaint from the Brotherhood of Railroad Trainmen of the lack of walks and railings on trestle on track No. 1 at Farr Terminal and requesting to be advised if walks and hand rails will be installed on the trestle, was read and resolution later passed authorizing construction of walkway and fences as requested.

Copy of Port Manager's letter to Mr. Tom Crowley transmitting bill for rental for Brooklyn Basin property occupied by him since July 1, 1936, amounting to \$3375.00, was filed.

Copy of Port Manager's letter to S. T. Johnson Oil Co., making offer of \$137.50 per month rental for property occupied by their plant at Nineteenth Avenue and Livingston Street, was filed. It was stated that a representative of the oil company would meet and further discuss the matter with the Port Manager on March 29.

Communication from the East Bay Municipal Utility District quoting a price of \$1885.00 for installing an 8" fire service for the Ninth Avenue Pier and requesting authorization for performance of the work, was read and resolution later passed accepting the proposal and authorizing the installation of the connection as part of the Public Works Administration project for the extension of Ninth Avenue Pier.

401

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Communication from Patricia Crittenden, Intermediate Typist Clerk, requesting leave of absence for thirty days commencing March 25, on account of appendectomy, together with certificate of physician, was read and resolution later passed granting such leave with three quarters pay, in accordance with the rules of the Civil Service Board.

Public Notice from Lt. Colonel J. A. Dorst, U. S. Engineer, relative to application of Taylor Milling Corporation for a War Department permit to install a five-pile dolphin on the harbor line at its plant on the Estuary, was read and application approved.

Communication from the Oakland Foreign Trade and Harbor Club advising that National Foreign Trade Week will be celebrated during the week of May 22 to May 28 inclusive, during which time programs will be carried out, and a feature of observance will be an evening banquet honoring the Consular Corps of the Bay District, to which the Board is invited, was read. The communication included a request for an appropriation of \$125.00 to assist in defraying the expenses of the celebration, and the Port Manager was directed to advise the Foreign Trade and Harbor Club that the Board would cooperate in the observance of Foreign Trade Week and would appropriate \$125.00 as requested.

Communication from the Works Progress Administration advising that Project No. 0803-1473 had been approved and will provide clerical assistance in the executive offices of the Board for classifying, indexing and other work at a cost to the Port of \$50.00, and to the Government of \$1560.00, was read and the Port Manager directed to arrange for carrying out the project.

Communication from the Transcontinental and Western Air Inc. advising that an agreement has been reached with Braniff Airways in respect to the Kansas City-Chicago service whereby T. W. A. will continue to route its transcontinental planes from Oakland to Chicago without interchange at Kansas City. Appreciation was expressed to the Board for its support of their stand in the issue.

Communication from the Port Attorney advising that on March 24 Judge Ogden of the Superior Court sustained the Port's position in the wharf franchise case upon the quo warranto proceedings which were instituted, thereby upholding the right of the Board to exact franchises of private wharf operators, was filed.

The Port Attorney reported that he had received communication from the New York Port Authority advising that the Federal Government is now assert-

ing that submerged lands are not subject to any ownership and, therefore, open to appropriation by the Federal Government. Copy of communication received by the Port Attorney on this matter was filed.

The Port Attorney reported that the City Auditor, Harry G. Williams, had signed a warrant in the amount of \$5,000 in favor of James Keith for the purchase of the forty-acre triangular tract of land easterly of and adjoining the Oakland Municipal Airport, and that the warrant would now be placed in escrow with the Oakland Title Insurance and Guaranty Company; further, that every effort has been made to complete the purchase of the property.

In respect to the past due accounts of Fillmore Flying Service and Duck Air Services, the Port Attorney reported that he had written letters to both of these tenants threatening eviction in the event that their accounts were not paid, and that as a result \$497.00 had been paid by Mr. Fillmore and \$375.00 by Mr. Duck during the week. The Board instructed the Port Attorney to demand the payment of the balance of the past due rental at as early date as possible.

The Port Manager reported that the air races, sponsored by the International Air Race Association, which were scheduled for May 28 to 30 inclusive, now appeared assured, following the action of the City Council in underwriting \$5,000 of the expense; further, that the Association had arranged for a committee of racing pilots to visit the Airport during the coming week to locate the race course so that the preparation of the airport for the air races could be undertaken without delay.

The Port Manager called attention of the Board to the rotogravure section of the San Francisco Chronicle of March 27 publicizing the Boeing School of Aeronautics at the Oakland Municipal Airport.

It was reported that the Pacific Gas & Electric Co. strike, affecting the construction of their new plant at the foot of Grove Street, had been settled and work resumed on March 28, 1938.

The Port Manager reported that the rice mills of Rosenberg Bros. & Co. at San Francisco and Biggs, California, had been closed on March 23, due to a strike by the C.I.O. warehousemen who requested higher wages, and that no settlement as yet has been reached but that the strike was not affecting, in any way, their dried fruit plant at the Outer Harbor Terminal.

It was reported that the Oakland Plan for settlement of labor difficulties has been rejected in its present form by the Alameda County Labor Council.

The Port Manager reported as follows on the status of certain funds as of March 25, 1938:

<u>Harbor Maintenance and Improvement Fund (No. 226)</u>	
Unencumbered Cash Balance as of March 25, 1938.....	\$ 48,989.80
Set up in Special Funds 220 and 222.....	95,000.00
Total Unencumbered Cash in all revenue funds	
as of March 25, 1938.....	143,989.80
Total Unencumbered Cash in all revenue funds	
as of February 28, 1938.....	135,007.41
 <u>1925 Oakland Harbor Improvement Fund (No. 567)</u>	
Cash Balance as of March 25, 1938.....	168,694.15

The report of the Port Manager submitting tonnage report for the month of February 1938, as compared with February 1937, and January 1938, was filed.

The report of the Port Attorney in respect to Claim No. 226-4987 in favor of Edw. R. Bacon & Co. for rental of Road Roller used at the Airport was read and claim later approved by the Auditing Committee and passed by the Board.

The report of the Port Attorney advising of appeal in the American Dredging Co. condemnation proceedings was read and resolution later passed directing the Port Attorney to file an appeal in the case.

The report of the Auditing Committee on claims and demands was adopted.

The following resolutions were introduced and passed by the following vote:

- AYES: Commissioners Colbourn, Fisher, Pardee, Roland, and President McElroy-5-
- NOES: None
- ABSENT: None

**"RESOLUTION NO. 4583**

**RESOLUTION APPROVING AND ALLOWING CERTAIN CLAIMS AND DEMANDS.**

RESOLVED: That the following claims and demands, having been approved by the Auditing Committee, be and the same are hereby approved and allowed by the Board of Port Commissioners and the Auditor is authorized to draw his warrant for the same out of the proper Fund:

<b>LEASED WHARF IMPROVEMENT FUND:</b>	
Howard Terminal	\$ 3,220.27
<b>HARBOR MAINTENANCE AND IMPROVEMENT FUND:</b>	
Edward R. Bacon Company	104.00
Air Reduction Sales Co.	5.67
American Bag & Union Hide Co.	20.19
American Bitumuls Company	17.45
Arco Company of California, Ltd.	17.64
George Baljevich	1.24
Bay City Lumber Co.	27.65
Geo. R. Borrmann Steel Company	39.17
California Concrete Products Co.	44.10
California Pottery Company	7.31
L. M. Clouch Co.	12.36
Cochran & Celli	7.39

City of Oakland, City Hall	815.58
Cutler-Hammer	30.82
East Bay Blue Print and Supply Co.	12.00
East Bay Municipal Utility District	620.07
W. P. Fuller & Co.	8.72
General Electric Company	71.06
Greenwood Printers Ltd.	34.25
Hersey Inspection Bureau	354.65
E. H. Huebbe	8.24
The Kiplinger Washington Agency	18.00
Geo. A. Kreplin Co.	328.14
Laird's Stationery	2.61
Libby, McNeill & Libby	17.67
C. W. Marwedel	60.59
Maxwell Wholesale Hardware Company	21.12
Melrose Lumber & Supply Co.	47.48
Albert C. Moe	39.70
National Lead Company	14.49
A. Newman	33.48
Pacific Gas and Electric Company	1,434.85
Pacific Shipper	68.00
Pacific Steel Sales Co. Ltd.	.52
The Pacific Telephone and Telegraph Company	24.45
Pacific Tool and Supply Company	21.28
Phoenix Iron Works	38.63
Postmaster, Oakland	126.24
Railway Express Agency, Inc.	1.20
Rand McNally & Company	6.18
Ransome Company	35.78
Rio Grande Oil, Inc.	25.00
Rio Grande Oil, Inc.	1.33
E. J. Saake	15.45
San Francisco Commercial Club	38.29
Sentinel Sanitary Supply Company	2.02
The Sherwin-Williams Co.	13.23
Shipping Register	40.00
Smith Brothers Inc.	28.76
Smith Lumber Company	2.23
Strable Hardwood Company	2.36
Clyde Sunderland	99.93
Tide Water Associated Oil Company	12.32
The Tribune Press	185.40
The Tribune Publishing Co.	4.42
Underwood Elliott Fisher Company, Inc.	11.50
Union Paper Company	34.83
United Iron Works	55.35
Walworth California Company	38.71
Western Auto Supply Company	.55
Western Transportation	40.00
White Investment Company	50.00
Wholesalers Credit Association of Oakland, Calif.	1.50
W. Reginald Jones	54.33
Firestone Auto Supply & Service Stores	58.56
City of Oakland, City Hall	408.75
Libby, McNeill & Libby	.94
Oakland Air Port Transportation Service	200.00
Sidney M. Hauptman, Trustee Sunset Lumber Co.	22.05
Ariss-Knapp Company, Inc.	3,944.88
Hill & Morton, Inc.	1,516.09
	<u>\$14,729.02 "</u>

"RESOLUTION NO. 4584

RESOLUTION EXTENDING TIME  
FOR PERFORMANCE OF CONTRACT  
WITH L. M. CLOUGH CO., A  
CO-PARTNERSHIP.

RESOLVED that the time for the performance of the contract with L.M. Clough Co., a co-partnership, for the furnishing and delivering of crusher run rock for base course, macadam rock and screenings for surfacing, and road oil for construction of oil macadam pavement to Ninth Avenue Terminal, Oakland, be and the same is hereby extended to and including June 29th, 1938."



"RESOLUTION NO. 4591

RESOLUTION AUTHORIZING LICENSE  
AGREEMENT WITH H. G. HILLS.

BE IT RESOLVED that the President of this Board be and he is hereby authorized to enter into an agreement with H. G. Hills as Licensee providing for the latter's occupancy of Room 410 in Hangar 4A Oakland Municipal Airport on a month to month basis at a rental of \$7.17 per month commencing February 1, 1938. Such agreement shall be upon the form of license agreement approved by this Board for airport uses."

The following resolution was introduced and passed by the following vote:

AYES: Commissioners Colbourn, Fisher, Roland, and President  
McElroy -4-

NOES: None

ABSENT: None

NOT VOTING: Commissioner Pardee -1-

"RESOLUTION NO. 4592

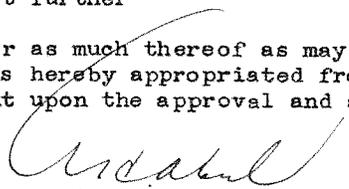
RESOLUTION AUTHORIZING ARRANGEMENT WITH  
THE EAST BAY MUNICIPAL UTILITY DISTRICT  
FOR THE INSTALLATION OF FIRE SERVICE TO  
EXTENSION OF NINTH AVENUE PIER.

Whereas it is required that the East Bay Municipal Utility District install and maintain an 8" fire service on Railroad Avenue near Ninth Avenue (with 10" pipe, fittings and meter) to serve the extension of Ninth Avenue Pier, and pursuant to the rules and regulations of such District to acquire such service the City must pay to the District the cost of installing the pipe and appurtenances at an estimated cost of \$1885.00 to cover cost of materials, labor, and other costs, plus 15% to cover overhead costs, the said amount to be subject to adjustment after the installation is completed, and it is necessary and convenient that such arrangement be made forthwith; now, therefore, be it

RESOLVED that the President of this Board is hereby authorized and directed to file an appropriate application with the said District to install such service, and thereafter to sign and enter into such agreements with said District as may be required; and be it further

RESOLVED that the sum of \$2,000.00, or as much thereof as may be necessary for said purposes, be and the same is hereby appropriated from the Oakland Harbor Improvement Fund, to be paid out upon the approval and allowance of appropriate claims."

ADJOURNED.



SECRETARY

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

of the

PORT OF OAKLAND

Held on Monday, April 4, 1938, at the hour of 3:30 p.m., in the office of the Board, Room 75, Grove Street Pier, due written notice of such meeting having been given members of the Board.

Commissioners present: Colbourn, Fisher, Pardee, Roland, and President McElroy -5-

Commissioners absent: None

The Port Manager, Port Attorney, and Assistant Chief Engineer were also present.

The minutes of the regular meeting of March 28, 1938, were read, approved, and adopted.

Communication from the Shipowners and Merchants Towboat Co., Ltd. advising that effective April 1, 1938, they are discontinuing use of wharf at foot of Broadway for which use they have, in the past, paid \$50.00 per month, was filed.

Communication from the Federal Emergency Administration of Public Works transmitting U. S. Treasury Check No. 22,096 for \$40,125.00, being the first installment of Federal grant of \$72,225. for construction of Ninth Avenue Pier Extension, was filed.

Communication From Mr. Fred D. Fagg, Jr., Director of Air Commerce, Washington, D. C., advising, in response to Port Manager's letter of March 26, that the reorganization of the Bureau of Air Commerce into divisions is not yet completed and, therefore, he cannot give any definite information at this time in respect to quarters which may be required, was filed.

Communication from Mr. R. H. Spaulding, Vice-President of the Interstate Co., acknowledging copies of the Board's agreement for lease of Airport Inn, Restaurant, and Concession Booth for year 1938 at a monthly rental of \$300.00, which is an increase of \$50.00 over that previously paid, and advising that they will be required to spend, during the year, approximately \$1000 for maintenance work on the heating plant, and requesting that the Board install water softener plant for water used in the boiler and the restaurant kitchen, was read. The Port Manager was directed to arrange for the installation of a water softener device at an estimated cost of \$350.00.

Communication from the Port Manager recommending the placing of an advertisement in the Oakland Traffic Club magazine "Traffic Tidings" for twelve issues, beginning April 1938, at a cost of \$117.00, was read and advertisement authorized as requested.

Communication from the Port Manager submitting record of expenditures on Works Progress Administration projects since November 1935, showing that the Board had sponsored fifty-one projects, of which thirty-five had been completed, and that there had been expended on the projects by the Federal Government a total of \$828,974.95, and the Port's contribution to

these projects had been \$185,566.68, was filed. It was further shown that the projects have been for worthwhile improvements of permanent value.

Communication from L. Stevens, Port Traffic Auditing Clerk, requesting seven days' leave of absence commencing March 28, on account of illness, together with certificate of physician, was read and resolution later passed granting leave of absence as requested with three-quarters pay, in accordance with the rules of the Civil Service Board.

Communication from the Port Attorney relative to a claim being made by the S. T. Johnson Co. to a portion of funds impounded in rental account held by the Pacific Steel & Wire Co., was filed.

Communication from City Manager, J. F. Hassler, reporting on affairs of the City for the month of February, 1938, was filed.

The Port Manager reported as follows on the status of certain funds as of March 31, 1938:

<u>Harbor Maintenance and Improvement Fund (No. 226)</u>	
Unencumbered Cash Balance as of March 31, 1938.....	\$ 36,977.31
Set up in Special Funds 220 and 222.....	95,000.00
Total Unencumbered Cash in all revenue funds	
as of March 31, 1938...	131,977.31
Total Unencumbered Cash in all revenue funds	
as of Feb. 28, 1938....	135,007.41
<u>1925 Oakland Harbor Improvement Fund (No. 567)</u>	
Cash Balance as of March 31, 1938.....	168,694.15

The report of the Port Manager on operations at the Oakland Municipal Airport for the month of March 1938, showing average storage of 97.7 planes in hangars, was filed.

The report of the Port Attorney on compromise of Reed Vowles' claim for \$149.94, on payment by him of \$100.00 in cash, was read and resolution later passed ratifying the compromise as made.

The report of the Port Attorney as to pendency of action by Mileage Gasoline Company against the City Council and Port Commission for payment of gasoline used by the City, was filed.

The Port Manager reported on the matter of increase in wages, as requested by Dock Office Clerks, which was brought to the Board's attention by Paul St. Sure, Attorney, representing the Oakland Municipal Civil Service Employees Association, in a communication dated February 17, 1938, and referred to Commissioners Colbourn and Roland, which Committee, at the Board's meeting of February 28, 1938, recommended that employees be graded into Classes A and B with salaries commensurate with their duties. The Port Manager stated that he had conferred with the Civil Service Board in respect to classifying the present

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Civil Service list and was advised by Secretary Stahlberg that classification, such as recommended by the Committee, could not be made applicable to the existing Civil Service Dock Office Clerk list, but that with the expiration of the present list, classifications could be effected in new examinations. Under the existing conditions, the Port Manager recommended that advances in salary be made to four employees now receiving lower bracket pay, and that no change be made at this time in the pay of those in the higher brackets, as their pay is in keeping with that received by Dock Office Clerks employed at competing terminals. The recommendation of the Port Manager for increase of monthly pay to Ivon W. Dearborn from \$120.00 to \$150.00; Carl E. Boorman from \$135.00 to \$150.00; Charles C. Buckley from \$140.00 to \$150.00, and Richard N. Compton from \$160.00 to \$170.00 was approved and resolution later passed advancing the rates of pay to the four employees as recommended. The report of the Committee was filed, and the Port Manager directed to arrange with the Civil Service Board for classification of Dock Office Clerks when the existing Civil Service lists expire.

In respect to the E. K. Wood Lumber Company's lease, the Port Manager reported that representatives of the company would be present at the Board's next meeting to further discuss the matter of length of lease.

The Port Manager reported that on March 29 he had conferred with Mr. Leo Jacobs, of the S. T. Johnson Co., in respect to the proposed lease and a memorandum of the conference was filed. Later Mr. Leo Jacobs met with the Board in respect to proposed lease on the property occupied by them at Nineteenth Avenue and Livingston Street. Mr. Jacobs stated that they desired a longer term of lease than ten years, as offered by the Board, and requested that the lease be drawn for a period of fifteen years with privilege of cancellation by either party at the expiration of the ten-year period, which arrangement would permit them to amortize any large investment which they would make. In respect to the amount of investment which would be considered as warranting an extension of the term of lease from the ten-year period to the fifteen-year period, Mr. Jacobs stated that he would be willing to agree that new improvements in the amount of \$5,000 or more would constitute a basis for the extension of lease. After discussion, the Board informed Mr. Jacobs that it would be agreeable to enter into a lease for a period of fifteen years with the cancellation clause at a rental of \$137.50 per month, and the Port Attorney was directed to prepare and submit a lease embodying the conditions as set forth.

President McElroy reported that he had received a communication from Mr. Thos. Crowley, enclosing a letter from the U. S. Coast Guard, advising that Coast Guard patrol boats could not be serviced at the Pacific Dry Dock and Repair Company's facilities until such time as the unsanitary conditions resulting from the outfall of the sewer discharging at the company's plant were remedied. It was recalled that the conditions now existing in respect to the outfall of the sewer have been in existence for many years and that the remedy for this condition was for the account of the City Sewer Department.

It was further reported that no reply had been received from Mr. Crowley in respect to the Board's letter of March 26, demanding payment of rental of \$225.00 per month for the leasehold.

The Port Manager reported on conference held on April 1 with Messrs. Bolander, Marsh, and McCurdy of the Division Engineer's Office of the State Highway Department, and stated that a new plan for the location of the East Shore Highway in Brooklyn Basin, easterly of Nineteenth Avenue, was presented. The Port Manager presented a map showing the proposed change in location, which would place the highway in rear of the Atlas Imperial Diesel Engine Co. instead of on Nineteenth Avenue, as previously proposed, and stated that as soon as further details as to location of the highway were received from the State Highway engineer's office, full investigation of the proposed change would be made and report thereon rendered.

The Port Attorney reported that suit against the Western Sulphur Industries, Inc., Ltd. for \$4258.53 was filed on April 2, 1938.

The Port Attorney reported that arguments before the United States Supreme Court on port taxation issues will be heard on April 6 or 7, 1938. Copy of brief filed by the Port Attorney on behalf of the American Association of Port Authorities, was filed. It was further reported that other briefs had been filed by the New York Port Authority and by the Attorneys General of twenty-five different states throughout the nation indicating the wide scope and importance of the issue.

The Port Attorney reported that Stockton's plea for general increase of intra-state carload rates on canned goods and dried fruits had been denied by the State Railroad Commission, and that this denial had frustrated Stockton's attempt to gain cheaper rates to Stockton than to the San Francisco Bay ports. It was further stated that the Chambers of Commerce of Oakland and San Francisco had represented the cities' interests and that the State Railroad Commission's



decision, which had just been received, would be carefully studied.

The Port Attorney reported that the District Court of Appeal had denied the claim of Gibson Properties Company for \$86,000 damages on account of the City's abandonment of First Street condemnation proceedings. In respect to this matter it was further reported that on August 24, 1931, the Board of Port Commissioners, by Resolution No.2206, urged that the First Street widening be completed, but the City Council abandoned the proceedings.

The Port Attorney reported that the State Railroad Commission had rendered decision giving Oakland a rate differential over San Francisco on rail, water, and truck intrastate rates in less than 20,000-pound lots within a radius of seventy miles.

The Port Manager reported that the U. S. Coast Guard had established a Gauman JF 2 Amphibian four-place plane at the Oakland Municipal Airport from which they will base their operations, and that Lt. F. A. Erickson, of the Coast Guard, is pilot and has with him two Coast Guardsmen; further that Commander Ragsdale of the U. S. Navy has furnished space in the Navy hangar for both the planes and the men who are stationed with the plane.

The Port Manager reported that he had received a request from the Alcor Aircraft Corporation stating that inasmuch as they had completed the building of their first plane and were working out details of going into production of future planes as soon as financial arrangements could be worked out, they desired to retain only their offices in the hangar leanto, for which they would pay the regular rental, and requested that they be given sufficient space in the hangar for the storage of their equipment without rental therefor. After consideration of the matter, the Board directed the Port Manager to advise the Alcor Aircraft Corporation that the space which they would require in the hangar would have to be paid for at the established rate of one and one-half cents per square foot.

It was reported that the United Air Lines had purchased ten new Douglas DC Mainliner planes, thus giving this line seventeen 21-passenger Douglas twelve Sky Lounges, and nine sleeper planes, in addition to twenty-five Boeing 247 D transport planes.

The Port Attorney reported that during the week Duck Flying Service had paid \$128.42, leaving a balance of \$91.26 on the March account, and that Captain Fillmore had paid \$68.74 on his account.

The Port Manager reported that conference with racing pilots

had been held at the Airport and the racing course had been fixed; further, that the Pacific International Air Race Association representatives would meet with the Port Manager and Port Attorney on April 6 to draft agreement for carrying out the races, which agreement, when completed, will be submitted to the Board for its approval.

From news dispatches it was reported that the main hangar at Miami Municipal Airport was destroyed by fire on April 2 with loss of \$880,000, including several expensive planes, and that the cost of the hangar was \$129,000.

The Port Manager stated that Mr. Dennis Mulligan, former army pilot, lawyer and insurance salesman, had been appointed by Secretary of Commerce Roper to the position of Director of Air Commerce succeeding Mr. Fred D. Fagg, Jr., who will retire on April 15 to become Dean of Northwestern University School of Commerce.

Commissioner Roland reported that Mrs. Louise M. Glasier had requested reconsideration of the Board's former action in refusing to place Captain Noonan's name on the plaque at the Airport commemorating the pioneers of trans-Pacific flights, and further, that Captain Musick's name also be added to the plaque. Previous action of the Board denying the request was reaffirmed, and it was recalled that Mrs. Glasier had been informed on August 10, 1937 that the Board had ordered the plaque to be cast and placed at the airport at a time when the period of pioneering of transoceanic flights had drawn to a close and had been followed by the inauguration of the trans-Pacific airways and that the Board was of the opinion that the dedication of the plaque was a fitting and final memorial to the pioneers who had blazed the trans-Pacific air trails, and, therefore, the Board did not feel that additions could properly be made to the names of the pioneers now on the plaque.

Copies of the Tribune Year Book containing articles descriptive of the Port and Airport were distributed to members of the Board.

Copies of editorial appearing in the Stockton Record of March 24, criticizing the Board's resolution of intervention against Stockton European Rate Case, calling it a "Masterpiece of Strained Prolixity," was filed. It was further reported that this editorial had appeared in the Pacific Shipper as a paid advertisement.

The reports of the Auditing Committee on weekly payrolls and claims and demands were adopted.

At this time Mr. Fisher was excused.

The following resolutions were introduced and passed by the following vote:

AYES: Commissioners Colbourn, Pardee, Roland, and President McElroy-4-

NOES: None

ABSENT: Commissioner Fisher -1-

"RESOLUTION NO. 4593

RESOLUTION APPROVING WEEKLY PAY  
ROLLS, RATIFYING ALL HIRINGS AND  
EMPLOYMENTS THEREIN AND REIMBURSING  
PORT REVOLVING FUND.

BE IT RESOLVED that the weekly pay rolls for the weeks ending March 22 and March 29, 1938, be and the same are hereby approved and the hiring or employment of each and all of the services therein set forth at the compensations therein paid is hereby ratified, confirmed and approved, and

BE IT FURTHER RESOLVED that the demand against the Harbor Maintenance and Improvement Fund for the reimbursement of the Port Revolving Fund in the amount set forth therein, having been approved by the Auditing Committee, is hereby approved and allowed, and the City Auditor be and he is hereby authorized and directed to draw his warrant for the same and make such reimbursement.

HARBOR MAINTENANCE AND IMPROVEMENT FUND;  
Port Revolving Fund Pay Rolls \$ 1022.70. "

"RESOLUTION NO. 4594

RESOLUTION APPROVING AND ALLOWING  
CERTAIN CLAIMS AND DEMANDS.

RESOLVED: That the following claims and demands, having been approved by the Auditing Committee, be and the same are hereby approved and allowed by the Board of Port Commissioners and the Auditor is authorized to draw his warrant for the same out of the proper Funds:

HARBOR MAINTENANCE AND IMPROVEMENT FUND:

East Bay Transit Company	\$ 5.00
Hersey Inspection Bureau	285.39
Rio Grande Oil, Inc.	106.25
Sidney M. Hauptman, Trustee, Sunset Lumber Company	105.35
Southern Pacific Company	13.00
The Western Union Telegraph Company	13.81
Geo. A. Attwood	42.64
Geo. H. Nash	63.00
Port Revolving Fund - Miscellaneous	284.84
Pay Rolls - Administrative Department	2,081.86
" - Airport	860.00
" - Engineering Department	2,287.25
" - Grove and Market Street Piers	1,673.03
" - Maintenance Department	2,979.13
" - Ninth Avenue Pier	505.75
" - Outer Harbor Terminal	5,121.71
" - Traffic Department	1,468.78
	<hr/>
	\$17,896.79 "

"RESOLUTION NO. 4595

RESOLUTION ADVANCING CERTAIN  
EMPLOYEES TO HIGHER GRADES  
UNDER POSITION KNOWN AS "DOCK  
OFFICE CLERK."

RESOLVED that the following persons, now employed as Dock Office Clerks under Section 8.09 of Port Ordinance No. 222, are hereby advanced under said section, as follows:

Richard N. Compton - Grade g. at \$160 per month to  
Grade i. at \$170 per month,

Ivon W. Dearborn - Grade a. at \$120 per month to  
Grade f. at \$150 per month,

Charles C. Buckley - Grade e. at \$140 per month to  
Grade f. at \$150 per month,

Carl E. Boorman - Grade d. at \$135 per month to  
Grade f. at \$150 per month,

said advance in salary to be effective April 16, 1938."

"RESOLUTION NO. 4596

RESOLUTION AUTHORIZING AGREEMENT  
WITH AIRCRAFT SERVICES.

BE IT RESOLVED that the President of this Board be and he is hereby authorized to enter into an agreement with A. M. Paul and A. C. Miner, copartners doing business under the style of Aircraft Services, as Licensee, providing for the occupancy by Licensee on a month to month basis commencing February 1, 1938, of Rooms 220, 222, 230 and 235 in Hangar 2, Oakland Municipal Airport, at a monthly rental of \$40.38, and such agreement shall be upon the form of airport license agreement customarily used by this Board."

"RESOLUTION NO. 4597

RESOLUTION EXTENDING TIME  
FOR PERFORMANCE OF CONTRACT  
WITH LEE J. IMMEL.

RESOLVED that the time for the performance of the contract with Lee J. Immel for the laying of concrete pipe across Key Route Mole be and the same is hereby extended to and including July 8, 1938."

"RESOLUTION NO. 4598

RESOLUTION RATIFYING COMPROMISE  
OF CLAIM AGAINST REED VOWLES.

Whereas there is pending a certain action in the Justice's Court of Brooklyn Township in which this Board is plaintiff and Reed Vowles is defendant, numbered 33414 therein, and in which action the Board seeks to recover the sum of \$149.98 for charges accruing at Oakland Municipal Airport; and

Whereas it appeared that the satisfaction of any judgment that might be obtained in said action would be improbable; and the Port Attorney, on approval of the Port Manager, entered into an arrangement whereby he agreed, by way of compromise, to receive on behalf of the Board the sum of \$100.00 in full settlement of said claim and action, and said sum has now been received; now therefore, be it

RESOLVED that the action of the Port Attorney and Port Manager above referred to be and the same is hereby ratified, confirmed and approved, and the moneys received pursuant to such arrangement are hereby accepted in full satisfaction and discharge of said claim and action; and be it further

RESOLVED that the Port Attorney be and he is hereby authorized to enter a dismissal with prejudice in the action referred to."

"RESOLUTION NO. 4599

RESOLUTION APPROVING TEMPORARY  
APPOINTMENT OF JUNE MARIAN COOK  
TO POSITION OF INTERMEDIATE  
STENOGRAPHER-CLERK.

RESOLVED that the following temporary appointment is hereby approved by this Board:

June Marian Cook, Intermediate Stenographer-Clerk,  
(Port Ordinance No. 222, Section 7.08) - \$100 per

month - appointment effective April 4, 1938."

"RESOLUTION NO. 4600

RESOLUTION GRANTING LEAVE OF  
ABSENCE WITH PAY TO L. STEVENS.

RESOLVED that L. Stevens (Port Traffic Auditing Clerk, Port Ordinance No. 22, Section 7.11) is hereby granted a leave of absence on account of illness, said leave to be for 7 days commencing March 28, 1938, with compensation at the rate of 75% of the salary payable such employe, as provided by the rules of the Civil Service Board."

"RESOLUTION NO. 4601

RESOLUTION AUTHORIZING PORT  
MANAGER TO MAKE ARRANGEMENTS  
WITH PERSONS OCCUPYING BROOKLYN  
BASIN LANDS.

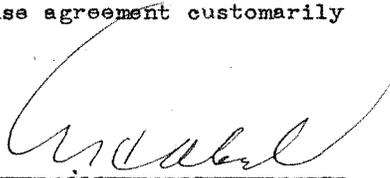
BE IT RESOLVED that the Port Manager be and he is hereby authorized to enter into suitable arrangements with former sub-lessees of portions of the Brooklyn Basin area providing for their continued occupancy of such lands on a proper rental basis until June 1st, 1938, or until more permanent arrangements be entered into if consummated before that date."

"RESOLUTION NO. 4602

RESOLUTION AUTHORIZING AGREEMENT WITH  
RED SALMON CANNING COMPANY.

BE IT RESOLVED that the President of this Board be and he is hereby authorized to enter into an agreement with Red Salmon Canning Company, a corporation, as Licensee, providing for its occupancy for a period of one (1) year commencing January 12, 1938, of anchorage space of approximately 100' x 400' in the North Arm of the Estuary of San Antonio at the rate of \$50.00 per month for the Steamship American Star and \$10.00 per month each for the Tugs Madrona and Frank B. when anchored. Such agreement shall be upon the form of license agreement customarily used by this Board."

ADJOURNED.

  
SECRETARY

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS  
of the  
PORT OF OAKLAND

Held on Monday, April 11, 1938, at the hour of 3:30 p.m., in the office of the Board, Room 75, Grove Street Pier, due written notice of such meeting having been given members of the Board.

Commissioners present: Colbourn, Fisher, Pardee, Roland, and  
President McElroy -5-

Commissioners absent: None

The Port Manager, Port Attorney, and Assistant Chief Engineer were also present.

The minutes of the regular meeting of April 4, 1938, were read, approved, and adopted.

Communication from The Interstate Co. returning in quadruplicate executed copies of agreement extending Airport Restaurant and Inn Concession for period of one year from March 1, 1938, and requesting the Board's approval thereof, was read and resolution later passed authorizing the execution of the agreement with The Interstate Co.

Communication from Mr. Sali Gruenebaum, requesting permission to load scrap iron aboard vessels prior to payment of storage charges, was read and the Port Manager directed to advise Mr. Gruenebaum that payment of storage charges will be required prior to the loading of the ship.

Communication from Congressman Albert E. Carter in response to President McElroy's telegram relative to Lea Aviation Bill, advising that he has submitted amendment to bill to Congressman Lea for Federal funds for improvement of Terminal Airports, and that the bill is now being referred to sub-committee for further consideration, was filed.

Copy of letter from Wm. S. Culbertson, Chamber of Commerce representative in Washington, D. C., advising as to present status of Oakland Naval Supply Base matter now under consideration by the House Naval Affairs Committee, was filed.

Communication from the Port Manager advising that Works Progress Administration Project No. 8714 for improvements to Operating Field at Oakland Municipal Airport is scheduled to start on April 21, and recommending that authorization be granted for purchasing materials to be furnished by the Port for the period ending June 30, 1938, estimated to cost \$23,000, and for rental of concrete mixer for a period of two months for mixing concrete to be used in the paving of taxiways from hangars to airport runways, was read and a resolution later passed approving the project and authorizing the carrying out of same, as set forth in the Port Manager's communication.

Communication from the Port Manager advising that the construction of the base for paving of Maritime Street from Fourteenth Street to the over-crossing structure is now complete and requesting authority to advertise for bids for materials for oil macadam wearing surface, which is to be placed under a Works Progress Administration project, was read and resolution later passed authorizing advertisement for bids for paving materials.

Communication from Reginald Jones and Hal Wiltermood, Junior Chamber of Commerce Committee, inviting the Board to attend luncheon Thursday

noon, April 14, at the Athens Club in honor of Roswell P. Rosengren of Buffalo, President of the United States Junior Chamber of Commerce, was read and invitation accepted by all members of the Board.

Communication from the Pacific Marine Review requesting the publication of a four-page descriptive article of the Port of Oakland in the May edition, together with cover page advertisement of the Port, at a cost of \$100.00, was read and request granted.

Communication from the Toll Bridge Authority enclosing a large air view of the Oakland-San Francisco Bay Bridge with Outer Harbor Terminal and new Port of Oakland overpass structure in the foreground, was filed.

Communication from the Department of Employment, State of California, granting exemption to Port from scope of California Unemployment Reserves Act, was filed.

Messrs. J. B. Wood and H. F. Vincent, Vice-Presidents of the E. K. Wood Lumber Company, together with Roscoe D. Jones, Attorney, met with the Board and discussed the term of lease of the 4.2 acres of Port property adjoining the E. K. Wood Lumber Company plant, and located in rear of the wharf in the Brooklyn Basin area. Mr. Jones stated that throughout the discussions, which have been held during the past few months, mention has been made of a twenty-five year period of lease, and that all of their plans and offers have been based on this length of lease; that the fifteen-year period, as offered by the Board in its last communication, would seriously affect their future plans for the operation of their plant. It was further pointed out that inasmuch as the Board would be required to spend a large amount in rehabilitation of one-half of the wharf, the twenty-five year period would be more advantageous in amortizing this investment. After further discussion, the Board agreed to enter into a lease with the E. K. Wood Lumber Company for the 4.2 acres of land in rear of the wharf for a period of twenty-five years at a rental of \$3800 per annum, together with all dockage and tolls on materials handled over the wharf, and that further, a guarantee of \$1800 for dockage and tolls would be made a requirement of the lease, which would result in a minimum revenue from the property and the wharf of \$5600.00 per annum; further that the use of the wharf would be non-exclusive and subject to operation by the Port at such time as conditions may warrant. The representatives of the E. K. Wood Lumber Co. agreed to these conditions and the Port Attorney was directed to prepare and submit for the Board's approval form of lease embodying these conditions.

Mr. Earle Wright, Executive Secretary and Acting Chairman, Mr. R. U. St. John, Director, and James Rowan Ewing, Managing Director of the Pacific International Air Race Association, met with the Board and discussed matters pertaining to entering into an agreement with the Board for the holding of air races at the Oakland Municipal Airport on May 28 to 30 inclusive. A draft of proposed agreement for the use of the Airport, as prepared by the Port Attorney, was reviewed and it was noted that the location of the grandstands and race course had been changed from the original plan as covered in the Board's Resolution No. 4434. Mr. Wright explained that following the laying out of the race course by the International Air Race Association officials, it was found impossible to locate the stands along the westerly boundary of the Airport and that the new plans call for the use of operating area for takeoff and landings of the racing planes.

Mr. Ewing reviewed his previous experience in handling races of this character at Denver and St. Louis airports, and stated that a meeting had been held with the various operators now stationed at the Airport, and that they had indicated their willingness to cooperate in the carrying out of the race program. He further stated that there would be no interference with the transport plane operations and that the racing activities would be discontinued during the arrival and departure of transport planes.

The closing of the Airport's activities during the period of the races was discussed and it was the consensus of the Board that the portion of the Airport extending from Maitland Drive to Hangar No. 5 should be kept open for the general public. Mr. Ewing stated that there would be a number of difficulties involved if this were done and it was then suggested that the matter of policing the Airport be thoroughly studied with the Oakland, Alameda and State police departments and a satisfactory plan worked out which would permit the operated portion of the Airport to be made accessible to the public desiring to visit or transact business at the Airport. Mr. Ewing stated that such a conference would be held during the week and report made thereon at the next Board meeting, following which the agreement for the use of the Airport could be completed and acted on by the Board.

Mr. Ewing further stated that the races would be carried out strictly in accordance with the comprehensive regulations now in effect by the Department of Commerce. The Port Manager stated that a survey would be made during the week as to the work which would be required to be done on the Airport field to accommodate the races.

Telegram from Congressman John H. Tolan, advising that on April 11 Chairman Vinson, of the House Naval Affairs Committee, unexpectedly

called hearings on S. B. 2338 and that he had appeared before the Committee urging the inclusion of the Oakland Supply Base item in the Bill; however, Chairman Vinson made a plea to members of the Committee that he be permitted to name a sub-committee of six members to proceed by airplane to San Francisco bay area and make a further investigation of the site, and that this committee had been named; further, Congressman Tolan advised that he would do everything in his power to the end that favorable action be given immediately to the Oakland project, was read and filed.

The Port Attorney reported that the Maritime Commission had set May 18 as time for commencement of hearings on its general investigation of practices of European steamship lines along the Pacific Coast and that the first hearing would be held in San Diego with others at later dates at Pacific Coast ports.

The Port Manager reported that Commander Van H. Ragsdale, in charge of the Naval Reserve Base at the Oakland Municipal Airport had been selected to attend the War College at Newport, R. I. for a course in Naval tactics, and that Lt. Commander W. S. Cunningham, now attached to the Aircraft Carrier Yorktown will assume command of the base during the absence of Commander Ragsdale.

The Port Manager stated that he had received a request from the "Observer", a local paper, for placing of port advertisement at a cost of \$1.25 per inch and the Board directed the Port Manager to advise the Observer that, in accordance with its policy, it would not place an advertisement.

The report of the Port Manager on status of certain funds as of April 8, 1938:

<u>Harbor Maintenance and Improvement Fund (No. 226)</u>	
Unencumbered Cash Balance as of April 8, 1938.....	\$ 54,339.65
Set up in Special Funds 220 and 222.....	95,000.00
Total Unencumbered Cash in all revenue funds as of	
April 8, 1938..	149,339.65
Total Unencumbered Cash in all revenue funds as of	
March 31, 1938...	131,977.31
<u>1925 Oakland Harbor Improvement Fund (No. 567)</u>	
Cash Balance as of April 8, 1938.....	168,694.15

The report of the Port Manager on progress of the Port for the month of March, 1938 was filed.

The report of the Port Manager submitting Chief Port Accountant's statement of condition of Fund No. 226 at close of March, 1938, as compared with February 1938 and March 1937, was filed.

The report of the Port Manager submitting Chief Port Accountant's statement of accounts receivable for March 1938, as compared with February 1938, was filed.

In respect to the letter request of the Richfield Oil Company for permission to remove five oil tanks from its leasehold at the Outer Harbor Terminal, the Port Manager reported that he had investigated the request and recommended that request be granted inasmuch as the Richfield Oil Company had constructed a \$2500 office building and had materially increased its shipments of oil through the Port, thereby fulfilling the requirements of agreement entered into by the Board with the Richfield Oil Company, under date of February 17, 1934.

The report of the Auditing Committee on claims and demands was adopted.

The following resolution was introduced and passed by the following vote:

- AYES: Commissioners Colbourn, Fisher, Fardee, and President McElroy -4-
- NOES: None
- ABSENT: None
- NOT VOTING: Commissioner Roland -1-

"RESOLUTION NO. 4603

RESOLUTION APPROVING AND ALLOWING CERTAIN CLAIMS AND DEMANDS.

RESOLVED: That the following claims and demands, having been approved by the Auditing Committee, be and the same are hereby approved and allowed by the Board of Port Commissioners and the Auditor is authorized to draw his warrant for the same out of the proper Fund:

HARBOR MAINTENANCE AND IMPROVEMENT FUND:		
Aeronautical Chamber of Commerce of America, Inc.	\$	10.00
Air Reduction Sales Co.		19.57
American Auto Metal Works		17.25
American Bitumuls Company		53.06
American Brass & Copper Co.		.52
American Stevedore Co., Inc.		35.97
Anchor Brass Works		2.25
Arco Company of California, Ltd.		25.50
Baker, Hamilton & Pacific Company		55.17
Bay City Lumber Co.		22.21
Bay City Sanitary Rag Co.		12.12
Geo. R. Borrmann Steel Company		73.22
State of California, Board of Equalization		3.72
Cameron's Inc.		.82
City of Oakland, Purchasing Department		2.50
L. M. Clough Co.		415.13
Cochran & Celli		18.85
Columbia Wood and Metal Preservative Co.		9.78
Coos Bay Lumber Company		44.78
Henry Cowell Lime and Cement Co.		44.97
Crane Co.		7.71
Frank Day		6.75
Dewey and Almy Chemical Company		8.92
Dieterich-Post Company		21.42
Dock Checkers Employers Association		401.37
Down Town Battery & Electric Co., Inc.		6.57
East Bay Blue Print and Supply Co.		1.16
East Oakland Auto Top Shop		6.00
The Electric Corporation of Oakland		108.14
Fageol Truck & Coach Co.		5.26
Fishstrom Staple Co.		9.09
The Fox Press		22.40
W. P. Fuller & Co.		8.72
General Electric Company		27.19

General Motors Truck & Coach	\$ 1.15
General Petroleum Corporation of California	22.65
The A. J. Glesener Co.	3.03
Golden Gate Sheet Metal Works	154.03
Greenwood Printers Ltd.	58.30
Hill & Morton Inc.	29.78
Halsted Products Company	12.47
Harvey Hanson	27.76
Heafey-Moore Co., Inc.	75.62
Hogan Lumber Company	13.49
Homelite Corporation	16.42
Lee J. Immel	27.24
Industrial Equipment Company	298.70
Independent Carrier Co., Ltd.	44.00
International Business Machines Corporation	28.00
Kellogg Express & Draying Co.	.35
Geo. A. Kreplin Co.	9.12
Laird's Stationery	4.19
Libby, McNeill & Libby	21.06
Maxwell Wholesale Hardware Company	174.55
P. W. McSoreley	12.36
Melrose Lumber & Supply Co.	25.60
Moran Plumbing Supply Co.	46.95
National Lead Company	48.70
Oakland Association of Insurance Agents	38.78
Oakland Battery Co.	4.78
Oakland Plumbing Supply Co.	24.80
Pacific Steel Sales Co., Ltd.	52.71
Pacific Tool and Supply Company	20.19
Phoenix Iron Works	226.76
Piedmont Lumber & Mill Co.	17.10
Joseph Pierotti & Co.	2.61
Pittsburgh Plate Glass Company	4.05
Planett Manufacturing Company	69.48
RCA Manufacturing Company, Inc.	121.75
Remington Rand Inc.	1.03
Rhodes & Jamieson, Ltd.	64.50
Rio Grande Oil, Inc.	106.25
Rucker-Fuller Company	1.24
San Francisco Chamber of Commerce	30.00
Schirmacher Co.	2.80
Sentinel Sanitary Supply Company	7.28
Shell Oil Company	31.50
B. Simon Hardware Co.	67.49
Smith Brothers, Inc.	28.02
Smith Lumber Company	2.36
State Electric Supply, Ltd.	9.77
Sterling Lumber Company	83.78
Sterling Press	30.28
Strable Hardwood Company	3.62
Straub Manufacturing Co., Inc.	1.85
Clyde Sunderland	10.00
H. G. Scovern & Co.	53.82
Supervisor of Documents	.50
Tide Water Associated Oil Company	5.80
Transit Concrete	15.58
Voegtly & White	9.18
E. C. Wenger Company	13.41
West Disinfecting Company	32.12
Westinghouse Electric Supply Company	19.10
Zellerbach Paper Company	28.72
H. G. Adam	30.34
Thos. H. Moore	11.27
R. N. Ricketts	10.50
Harold Wiltermood	29.54
L. M. Clough Company	589.66
1925 OAKLAND HARBOR IMPROVEMENT BOND FUND:	
Geo. M. Robinson & Company	3,369.00
Healy-Tibbitts Construction Company	29,348.79
	<u>\$37,295.72 "</u>

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The following resolutions were introduced and passed by the following vote:

AYES: Commissioners Colbourn, Fisher, Pardee, Roland and President  
McElroy -5-

NOES: None

ABSENT: None

"RESOLUTION NO. 4604

RESOLUTION APPROVING APPOINTMENT  
OF BASIL W. FALT TO POSITION OF  
DOCK LUMBER TALLY MAN.

RESOLVED that the following appointment is hereby approved by  
this Board:

Basil W. Falt, Dock Lumber Tally Man, (Port Ordinance  
No. 222, Section 8.12) - \$160 per month - appointment  
effective April 13, 1938."

"RESOLUTION NO. 4605

RESOLUTION APPROVING WORKS PROGRESS  
ADMINISTRATION PROJECT FOR MISCELLANEOUS  
IMPROVEMENTS AT OAKLAND MUNICIPAL AIRPORT,  
PROJECT PROPOSAL NO. 0803-1225 - WORK  
PROJECT NO. 8714.

RESOLVED that the plans and specifications and estimates of  
cost for the miscellaneous improvement of the landing area at Oakland  
Municipal Airport, submitted by the Port Manager to the Works Progress  
Administration under Project Proposal No. 0803-1225, and approved by  
said Works Progress Administration as Work Project No. 8714, and for  
which the Works Progress Administration has allotted funds in the amount  
of \$473,280, be and the same are hereby approved by this Board, and the  
Port Manager is hereby authorized and directed to acquire the necessary  
materials and equipment and provide supervision for said work, the esti-  
mated cost thereof being \$264,785.

BE IT FURTHER RESOLVED that any item of said materials and  
equipment less than \$1,000 in amount may be purchased in the open market."

"RESOLUTION NO. 4606

RESOLUTION AUTHORIZING ADVERTISEMENT  
FOR BIDS FOR CEMENT, CONCRETE AGGREGATES,  
CRUSHER RUN ROCK AND REINFORCING STEEL.

BE IT RESOLVED that the Secretary of this Board be and he is  
hereby authorized to advertise for five consecutive days in the official  
newspaper for sealed proposals for furnishing cement, concrete aggregates,  
crusher run rock and reinforcing steel in accordance with the specifica-  
tions heretofore approved by this Board in Port Resolution No. 4605."

"RESOLUTION NO. 4607

RESOLUTION AUTHORIZING ADVERTISE-  
MENT FOR BIDS FOR PAVING MATERIALS.

BE IT RESOLVED that the Secretary of this Board be and he is  
hereby authorized to advertise for five consecutive days in the official  
newspaper for sealed proposals for furnishing of paving materials in ac-  
cordance with the specifications heretofore approved by this Board in  
Port Resolution No. 4486."

"RESOLUTION NO. 4608

RESOLUTION GRANTING PERMISSION TO  
RICHFIELD OIL COMPANY TO MOVE FIVE  
LUBRICATING TANKS FROM ITS PREMISES  
LEASED FROM PARR TERMINAL COMPANY.

Whereas, Richfield Oil Company, sublessee of Parr Terminal Company, pursuant to agreement dated February 17, 1934, requests permission of this Board to remove five tanks designed for storage of lubricating oils from its leased premises in the Outer Harbor Area for the reason that lubricating oils are now handled and moved entirely in tins instead of in bulk, and said storage tanks are no longer needed or used by said Company in its operations at the Outer Harbor, and

Whereas, since February 17, 1934 the shipments of oil by said Richfield Oil Company, on which pipeline charges paid to the Port, excepting for the year 1935, have steadily increased in amount and now exceed the amount shipped in the year 1934 and, in addition, the Company has constructed an office building on said premises which exceeds in value the approximate value of such tanks, and no practical purpose from the standpoint of the Port of Oakland would be served in requiring such tanks to be kept unused upon the said premises, and it appears to this Board that such request should be granted, now, therefore, be it

RESOLVED that permission is hereby granted to Richfield Oil Company to remove its five lubricating storage tanks, being numbered from 1662 to 1666 inclusive, from said Area."

"RESOLUTION NO. 4609

RESOLUTION AUTHORIZING AGREEMENT  
WITH THE INTERSTATE COMPANY.

BE IT RESOLVED that the Port Manager be and he is hereby authorized to enter into an agreement with The Interstate Company as Licensee extending for a further period of one(1) year commencing March 1, 1938, that certain agreement between the parties dated January 1, 1929 and the further agreement dated July 15, 1932, providing for the operation by Licensee of the Airport Inn and the restaurant building and booth at Oakland Municipal Airport as such agreements have been modified from time to time upon and subject to all the terms, covenants and conditions of said agreements as modified except as to rental which shall be for the extended term the sum of \$300.00 per month."

"RESOLUTION NO. 4610

RESOLUTION AUTHORIZING AGREEMENT  
WITH INDUSTRIAL EQUIPMENT COMPANY.

BE IT RESOLVED that the President of this Board be and he is hereby authorized to enter into an agreement with Industrial Equipment Company, a corporation, as Licensee, providing for the occupancy by Licensee of an area of 20,833 square feet in the Outer Harbor Terminal area on a month to month basis beginning April 1, 1938, at a monthly rental of \$125.00, and such agreement shall be upon the general form of license agreement customarily used by this Board."

ADJOURNED.

  
S E C R E T A R Y

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

of the  
PORT OF OAKLAND

Held on Monday, April 18, 1938, at the hour of 3:30 p.m., in the office of the Board, Room 75, Grove Street Pier, due written notice of such meeting having been given members of the Board.

Commissioners present: Colbourn, Pardee, Roland, and Vice-President Fisher -4-

Commissioner absent: President McElroy -1-

The Port Manager, Port Attorney, and Assistant Chief Engineer were also present.

The minutes of the regular meeting of April 11, 1938, were read, approved as corrected, and adopted.

Telegrams and correspondence with Congressman Tolan, W. S. Culbertson, Oakland Chamber of Commerce representative, and members of the House Naval Affairs Committee, Secretary of Navy Charles Edison and others in Washington, D. C., relative to status of Oakland Naval Supply Depot matter and advising that the Naval appropriation bill had been approved by the House Naval Affairs Committee with the Oakland item omitted, were read and filed. Prior to its meeting, the Board members attended a conference held at the office of the Mayor at which were also present Mayor McCracken, Captain Walter H. Allen, U. S. Navy, representatives of the City Council, Chambers of Commerce of Oakland and San Francisco, the press and others. At this conference the entire Navy Supply Base matter was reviewed. Telegrams received during the conference by the Chamber of Commerce from Congressman Tolan advising that he was planning to proceed at once with hearings on the Tolan Bill, H. R. 6743, in Naval Affairs sub-committee on April 20, and requesting City, Port and Chamber of Commerce officials concurrence thereto, were read and it was the consensus of the conference that every effort should be made to have the Oakland Supply Base authorized at the present session of Congress. It was agreed that telegrams be sent to Congressman Tolan and the members of the House sub-committee urging the passage of the Tolan Bill. Memorandum of the conference in the Mayor's office was ordered filed.

Communications from the San Francisco Examiner, San Francisco Chronicle, and San Francisco News soliciting Port of Oakland advertisement in their forthcoming Port of San Francisco Diamond Jubilee issue at a cost of \$650.00 for one-half page and \$1200.00 for full page, which would include the publication of articles descriptive of the Port, were read and deferred for further consideration.

Communication from Mr. Carl Hoffman, Publisher, Oakland Post Enquirer, advising he is planning to issue, in February 1939, a World's Fair Souvenir Edition, and requesting that space reservations be made at this time for this edition, was read and the Port Manager directed to advise Mr. Hoffman that the Board would give consideration to his request.

Communication from W. A. Patterson, President, United Air Lines, advising, in reply to Port Manager's letter, that decision in matter of location of shops will be held up until their four-engined superplane is tested, but stating that they are definitely interested in the Oakland Municipal Airport

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as the logical site for their repair base, was filed.

Communication from Libby, McNeill & Libby in reference to payment of storage charges which accrued during the last waterfront strike, and requesting cancellation of the charges, together with the Port Manager's letter in respect to their request, was read and deferred for further consideration.

Communication from Mrs. L. K. Beever, President of the League of Women Voters, advising that their organization will visit and inspect the port on May 12, 1938, and requesting that arrangements be made, was filed. The Port Manager reported that he had communicated with Mrs. Beever and was arranging for the inspection of the Port by the League.

Communication from Virginia Ahlberg, Telephone Operator and Clerk, requesting fourteen days leave of absence without pay, for personal reasons, commencing May 10, 1938, was read and resolution later passed granting leave as requested.

The Port Attorney presented communication advising that the Industrial Accident Commission had held a hearing on April 13 to establish amount of damage sustained by Mr. Fred Ruppert, Port Carpenter, who received back injury while on duty on December 17, 1936. It was further stated that Mr. Ruppert had been receiving compensation since the time of the accident and that a settlement of the claim would undoubtedly be made in the near future, after a careful examination by a specialist has been made.

Communication from the El Dorado Terminal Co. advising of intention to file answer in wharf franchise case, admitting that the facts to be established are minor in importance, was filed.

The Port Attorney reported that he had received a communication from the Counsel for Santa Fe Railroad Company submitting proposed agreement to locate tideline with a map to be recorded, which is objectionable in form and that he would further confer with the Santa Fe Railroad Company in respect thereto.

In respect to the Air Races to be held by the Pacific International Air Race Association at the Oakland Municipal Airport from May 28 to 31 inclusive, the Port Attorney stated that Mr. Earle Wright, Secretary of the Association, had advised that the form of proposed license agreement appeared satisfactory to the Association. The Port Manager stated that a conference was held at the Airport on April 18, at which State and City traffic officers and other officials were present, and that satisfactory plans were worked out for the handling of automobile and other traffic and that, in accordance with the policy of the Board, the Airport would be kept open for official

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business at all times, and that barricades would be erected to insure this being done. It was stated that as soon as all the various details affecting the handling of the races had been worked out, the license agreement would be completed and presented to the Board for approval.

The Port Attorney reported that further briefs had been received covering the Supreme Court case involving tideland titles from A. L. Weil, O'Melveny, Tuller and Myers, and Ray L. Chesebro, Los Angeles Attorneys, and that none of these briefs present issues at variance with the points advanced in the Port of Oakland brief.

The Port Attorney reported that the Maritime Commission had rendered decision holding various tariff provisions of intercoastal steamship lines to be unlawful in respect to segregation rates and practices; that decision follows closely the position informally advocated by this Port, holding that segregation charges should be made by steamship lines only when services are actually performed; also condemns practice of Encinal Terminals in avoiding payment of segregation charges by resorting to separation by brands in lieu of submarks, which will deprive Encinal Terminals of certain revenue it has been receiving; and that in requiring a segregation charge to be assessed wherever services are performed, order will likely result in additional charges on westbound movement, thereby resulting in increased revenues to Port operation of Grove Street Pier through increased service charges.

The Port Attorney reported that various airport hangar tenants are now signing up monthly license agreements, which they had to date refused to do; further, that Fillmore Flying Service had paid \$85.00 during the week, making a total of \$265.16 paid during April with \$17.94 still due on current rental.

The Port Manager reported that a fire occurred on April 15 on Pier 48 B, San Francisco, which did about \$100,000 damage to the structure.

The Board's attention was called to the filing of complaint by Mr. Ira Abraham, Attorney for the Central Company, to eject ark dwellers from property located at the foot of Derby Street.

It was reported that due to adverse weather conditions at San Francisco Airport, seven transport schedules were not completed; further, that all schedules were completed at the Oakland Municipal Airport.

The Port Manager reported as follows on the status of certain funds as of April 15, 1938:

<u>Harbor Maintenance and Improvement Fund (No. 226)</u>	
Unencumbered Cash Balance as of April 15, 1938.....	\$ 63,353.96
Set up in Special Funds 220 and 222.....	95,000.00
Total Unencumbered Cash in all revenue funds as of	
April 15, 1938.....	158,353.96
Total Unencumbered Cash in all revenue funds as of	
March 31, 1938.....	131,977.31

1925 Oakland Harbor Improvement Fund (No. 567)

Cash Balance as of April 15, 1938 ..... \$ 168,694.15



The report of the Port Attorney in respect to the Hogan Lumber Company tideland issue, recommending that a suit be filed, was read and deferred to the next meeting of the Board for consideration.

The Port Attorney reported that he had a conversation with Mr. Wm. Crichton, representing James Keith, who is the party from whom the Board is arranging to acquire the triangular parcel of land east of and adjacent to the Airport, and stated that Mr. Crichton anticipated that the transaction would be closed at an early date. The Port Attorney said that he had insisted upon Mr. Keith placing the necessary deed in escrow with the Oakland Title Insurance & Guaranty Company, even though delay might ensue in clearing up the mortgaged interests held by the Fontana Estate, and had assured Mr. Crichton that if Mr. Keith was to do this and in every other way attempted in good faith to comply with his arrangements with the City, the Board would grant him such reasonable time as may be required to complete the transaction. The Board advised the Port Attorney that the matter was in his hands to take such course as he deemed expedient.

The report of the Auditing Committee on claims and demands was adopted.

The following resolutions were introduced and passed by the following vote:

AYES: Commissioners Colbourn, Pardee, Roland, and Vice-President Fisher -4-

NOES: None

ABSENT: President McElroy -1-

"RESOLUTION NO. 4611

RESOLUTION APPROVING AND ALLOWING CERTAIN CLAIMS AND DEMANDS.

RESOLVED: That the following claims and demands, having been approved by the Auditing Committee, be and the same are hereby approved and allowed by the Board of Port Commissioners and the Auditor is authorized to draw his warrant for the same out of the proper Fund:

HARBOR MAINTENANCE AND IMPROVEMENT FUND:

Acme Brass & Aluminum Foundry	\$	5.87
Air Reduction Sales Co.		11.33
American Bitumuls Company		35.42
American Brass & Copper Co.		.82
The Anchor Post Fence Company of California		25.75
The Black & Decker Mfg. Co.		2.47
Geo. R. Borrmann Steel Company		46.99
City of Oakland - Department of Streets		82.28
L. M. Clough Co.		86.34
Cochran & Celli		43.62
Commonwealth Club of California		3.00
H. S. Gocker Company, Inc.		31.80
Down Town Battery & Electric Co., Inc.		7.65
East Bay Blue Print and Supply Co.		108.75
P. R. Friedrich and Son		6.06
General Petroleum Corporation of California		11.90

Golden Gate Sheet Metal Works	\$ 28.59
Greenwood Printers Ltd.	64.07
H. & M. C. Co.	3.61
Hersey Inspection Bureau	26.40
Hill & Morton Inc.	13.95
Independent Carrier Co., Ltd.	20.00
International Business Machines Corporation	15.50
The International Press	12.36
Interstate Stucco Company	18.54
L. N. "Len" Johnson-Typewriters	25.00
Kee Lox Manufacturing Co.	7.73
Kellogg Express & Draying Co.	.35
Kling-Dawers Stationery Co., Inc.	4.64
Geo. A. Kreplin Co.	.99
Laird's Stationery	7.27
Lawton & Williams	123.81
Link-Belt Company	46.35
C. W. Marwedel	1.52
Maxwell Wholesale Hardware Company	75.99
Melrose Building Materials Co.	19.86
Melrose Lumber & Supply Co.	16.54
Merchants Express Corporation	6.42
Albert C. Moe	27.68
J. T. Monahan	53.76
National Lead Company	3.42
Oakland Airport Inn	7.11
Oakland Association of Insurance Agents	45.00
Oakland Fire Extinguisher Company	36.98
Oakland National Engraving and Gravure Co.	51.54
Oakland Plumbing Supply Co.	10.62
Pacific Coast Aggregates, Inc.	48.96
Pacific Electric Motor Co.	18.24
Pacific Shipper	68.00
The Paraffine Companies, Inc.	85.66
E. J. Saake	22.66
San Francisco Bay Carloading Conference	5.00
Shipping Register	43.00
B. Simon Hardware Co.	24.57
Smith Brothers	25.83
Smith & Hulse	507.62
Southern Pacific Company	9.77
Standard Saw Works	1.50
Strable Hardwood Company	2.69
Superior Rock Co.	126.11
Transit Concrete	61.05
Tide Water Associated Oil Company	31.90
Underwood Elliott Fisher Company	11.50
Vincent Electric Motor Co.	66.68
E. C. Wenger Company	2.12
Western Iron and Metal Co.	153.26
Western Transportation	40.00
Wholesalers Credit Association of Oakland, Calif.	8.00
M. D. McCarl	34.79
A. C. Meadows	21.87
J. S. Saunders	5.72
	<u>\$2,712.15 "</u>

"RESOLUTION NO. 4612

RESOLUTION AUTHORIZING AGREEMENT  
WITH JOHNNY MAGGI.

BE IT RESOLVED that the President of this Board be and he is hereby authorized to enter into an agreement with Johnny Maggi, as Licensee, providing for the occupancy by Licensee of a certain area in Hangar 2, Oakland Municipal Airport, on a month to month basis commencing February 1, 1938, at a monthly rental of \$30.53, and such agreement shall be upon the form of license agreement customarily used by this Board for airport uses."

"RESOLUTION NO. 4613

RESOLUTION AUTHORIZING AGREEMENT  
WITH AIRPLANE PARTS & SUPPLIES CO., INC.

BE IT RESOLVED that the President of this Board be and he is

hereby authorized to enter into an agreement with Airplane Parts & Supplies Co., Inc., a corporation, as Licensee, providing for the occupancy by Licensee of Room 400 in Hangar 4A, Oakland Municipal Airport on a month to month basis commencing February 1, 1938, and at a monthly rental of \$13.05, and such agreement shall be upon the form of license agreement customarily used by this Board for airport uses."

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"RESOLUTION NO. 4614

RESOLUTION AUTHORIZING AGREEMENT WITH  
THE WESTERN UNION TELEGRAPH COMPANY.

BE IT RESOLVED that the Port Manager be and he is hereby authorized to enter into an agreement with The Western Union Telegraph Company, a corporation, as Licensee, extending for a further period of one (1) year commencing March 1, 1938, that certain agreement between the parties dated March 1, 1933, providing for the operation by Licensee of the teletype tape printer at Oakland Municipal Airport upon and subject to all the terms, covenants and conditions of the last mentioned agreement."

"RESOLUTION NO. 4615

RESOLUTION AUTHORIZING LICENSE  
AGREEMENT WITH HARRY SHAM.

BE IT RESOLVED that the president of this Board be and he is hereby authorized to enter into an agreement with Harry Sham as Licensee providing for the occupancy by Licensee of certain space in Hangar No. 2, Oakland Municipal Airport, on a month to month basis commencing March 1, 1938, at a rental of \$106.10 per month, and such agreement shall be upon the form of license agreement customarily used by this Board for airport uses."

"RESOLUTION NO. 4616

RESOLUTION AUTHORIZING LICENSE  
AGREEMENT WITH C. C. BRAYTON, JR.

BE IT RESOLVED that the President of this Board be and he is hereby authorized to enter into an agreement with C. C. Brayton, Jr., as Licensee, providing for the occupancy by Licensee of certain space in Hangar No. 2, Oakland Municipal Airport, on a month to month basis commencing February 1, 1938, at a rental of \$98.97 per month, and such agreement shall be upon the form of license agreement customarily used by this Board for airport uses."

"RESOLUTION NO. 4617

RESOLUTION RATIFYING, CONFIRMING  
AND APPROVING APPOINTMENT OF CURTIS  
F. BOLTON.

RESOLVED that the action of the Port Manager in making the following appointment is hereby ratified, confirmed and approved by this Board:

Curtis F. Bolton, Cargo Repair Man, (Port Ordinance No. 222, Section 8.14) - \$165 per month - appointment effective April 16th, 1938."

"RESOLUTION NO. 4618

RESOLUTION GRANTING LEAVE OF ABSENCE WITHOUT  
PAY TO VIRGINIA AHLBERG.

RESOLVED that Virginia Ahlberg, Telephone Operator and Clerk, (Port Ordinance No. 222, Section 2.1), is hereby granted a leave of absence for personal reasons, said leave to be for 14 days commencing May 10, 1938, at noon, without pay."

Pursuant to Resolution No. 4606 and Resolution No. 4607 and advertising for five consecutive days in the city's official newspaper, bids for Furnishing and Delivering Reinforcing Steel, Furnishing and Delivering Concrete

Aggregates, Furnishing and Delivering Ten Thousand Tons, more or less, of  
 Crusher Run Rock, Furnishing and Delivering Two Thousand Barrels, more or less,  
 of Portland Cement to the Oakland Municipal Airport, and for Furnishing and  
 Delivering materials for Oil Macadam Pavement to Maritime Street, Outer  
 Harbor, were received between the hours of 3:30 and 4:30 p.m. At the hour  
 of 4:30 p.m., the following bids, being all the bids received, were publicly  
 opened:

BIDS FOR  
 FURNISHING AND DELIVERING REINFORCING STEEL TO OAKLAND MUNICIPAL AIRPORT

BIDDER	WIRE MESH	REINFORCING	Total Bid	Certified Check
	25 tons ITEM A Per Ton	BARS 5 tons ITEM B Per Ton		
* McGrath Steel Company	\$97.32	\$70.00	\$2,783.00	\$300.00
* Planett Manufacturing Co.	97.32	70.00	2,783.00	280.00
* Truscon Steel Company	97.32	70.00	2,783.00	300.00
Herrick Iron Works	97.32	68.25	2,774.25	300.00
**Pacific Steel Sales Corp.	97.32	70.00	2,783.00	295.00
* Wickwire Spencer Steel Co.	97.32	-----	2,433.00	243.30
* The California Wire Cloth Corporation	97.32	68.48	2,775.40	280.00
* Soule Steel Company	97.32	70.00	2,783.00	300.00

\*Discount  $\frac{1}{2}$  of 1% on these bids.  
 \*\*Discount  $\frac{1}{2}$  of 1% on Item A only.

BIDS FOR  
 FURNISHING AND DELIVERING CONCRETE AGGREGATES TO OAKLAND MUNICIPAL AIRPORT.

Bidder	Item A	Item B	Total Bid	Certified Check
	1200 tons Coarse Aggregate	800 tons Fine Aggregate		
Albert C. Moe	\$ 1.43	\$ 1.43	\$ 2,860	\$300
Powell Bros., Inc.	1.43	1.43	2,860	325
Superior Rock Company	1.85	1.85	3,700	375
Transit Concrete Ltd.	1.43	1.43	2,860.	300
Alta Building Material Co.	1.43	1.43	2,860	300
Melrose Building Materials Co.	1.43	1.43	2,860	300
Rhodes & Jamieson, Ltd.	1.43	1.43	2,860	286
Hutchinson Co.	1.43	1.43	2,860	300
Henry Cowell Lime & Cement Co.	1.43	1.43	2,860	300
Rhodes & Kennedy, Inc.	1.43	1.43	2,860	300

BIDS FOR  
 FURNISHING AND DELIVERING TEN THOUSAND TONS, MORE OR LESS, OF CRUSHER RUN ROCK  
 TO OAKLAND MUNICIPAL AIRPORT.

Bidder	Per ton	Total Bid	Certified Check
Heafey-MooreCo.	\$0.998	\$9,980	\$1000

BIDS FOR  
 FURNISHING AND DELIVERING TWO THOUSAND (2000) BARRELS, MORE OR LESS,  
 OF PORTLAND CEMENT TO OAKLAND MUNICIPAL AIRPORT.

Bidder	Per Bbl.	Total Amount	Certified Check
Albert C. Moe	\$2.49	\$4,980.00	\$525.00
Powell Bros. Inc.	2.49	4,980.00	500.00
Superior Rock Company	2.49	4,980.00	500.00
Transit Concrete, Ltd.	2.49	4,980.00	525.00
Alta Building Material Company	2.49	4,980.00	500.00
Melrose Building Materials Co.	2.49	4,980.00	500.00
Rhodes & Jamieson, Ltd.	2.49	4,980.00	498.00

Henry Cowell Lime and Cement Co.	2.49	4,980.00	500.00
Rhodes & Kennedy, Inc.	2.49	4,980.00	500.00

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BIDS FOR  
FURNISHING AND DELIVERING MATERIALS FOR OIL MACADAM PAVEMENT TO MARITIME STREET,  
OUTER HARBOR

	Ransome Co.	Heafey-Moore Co.	Lee J. Immel
A: Macadam Rock - 1000 tons	\$2.03 per ton	\$2.20 per ton	\$1.73 per ton
B: Coarse Screenings - 280 tons	2.03 " "	2.30 " "	1.83 " "
C: Birdseye Screenings - 150 tons	2.36 " "	2.50 " "	2.00 " "
D: Asphaltic Road Oil - 100 tons	18.70 " "	20.00 " "	16.50 " "
Total Bid	4,822.40	5,219.00	4,192.40
Certified Check	600.00	1,000.00	550.00

These bids were referred to the Port Attorney as to legality and to the Port Manager for recommendation as to acceptance of the bids and later the following resolutions were passed, rejecting the bids for Delivery of Portland Cement, and for Delivery of Concrete Aggregates and directing the re-advertisement for said bids:

"RESOLUTION NO. 4619

RESOLUTION REJECTING BIDS  
FOR DELIVERY OF PORTLAND  
CEMENT.

Whereas, upon the opening of bids for the furnishing and delivering of Portland Cement to Oakland Municipal Airport, Oakland, on this day, pursuant to advertisement duly given, it appeared that each and all of the nine said bids received were identical in amount, and

Whereas, the charter provides that any collusive bid or any contract let thereunder shall be absolutely void, now therefore,

BE IT RESOLVED that each and all of the bids received shall be and the same are hereby rejected, and the Secretary is hereby directed to re-advertise for bids for said material for the time and in the manner required by law."

"RESOLUTION NO. 4620

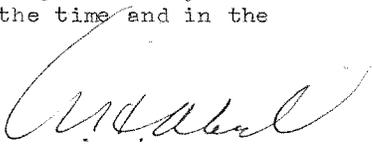
RESOLUTION REJECTING BIDS  
FOR DELIVERY OF CONCRETE  
AGGREGATES.

Whereas, upon the opening of bids for the furnishing and delivering of concrete aggregates to Oakland Municipal Airport, Oakland, on this day, pursuant to advertisement duly given, it appeared that nine of the ten bids received were identical in amount and that the tenth was in an amount in excess of the remainder, and

Whereas, the charter provides that any collusive bid or any contract let thereunder shall be absolutely void, now therefore,

BE IT RESOLVED that each and all of the bids received shall be and the same are hereby rejected, and the Secretary is hereby directed to re-advertise for bids for said material for the time and in the manner required by law."

ADJOURNED.

  
SECRETARY

## REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

of the

## PORT OF OAKLAND

Held on Monday, April 25, 1938, at the hour of 3:30 p.m., in the office of the Board, Room 75, Grove Street Pier, due written notice of such meeting having been given members of the Board.

Commissioners Present: Colbourn, Fisher, Pardee, Roland, and President McElroy -5-

Commissioners absent: None

The Port Manager, Assistant Chief Engineer, and Assistant Port Attorney were also present.

The minutes of the regular meeting of April 18, 1938, were read, approved, and adopted.

Communication from Congressman John H. Tolan, advising he expects favorable report from sub-committee but that passage of his bill is being obstructed by Doctor Hogan of Vallejo, was filed.

Communication from Congressman Carl Vinson, Chairman Naval Affairs Committee, advising that he has appointed a sub-committee of six members to consider the Tolan Bill, was filed.

Communications from Congressmen Magnuson, Church, Phillips and Brewster acknowledging President McElroy's telegram of April 14, and advising that their careful attention will be given to the Oakland Naval Supply Base item, were filed.

Communication from W. S. Culbertson, Chamber of Commerce representative in Washington, reviewing hearing of sub-committee on Tolan Bill, H.R. 6734, on April 20, was filed.

Copies of telegrams sent to and received from Congressman Tolan on April 19 and 20, in respect to hearing on the Tolan Bill, were filed. Following discussion of the present status of the Oakland Naval Supply Base matter, the Board directed the Port Manager to confer with Mr. Harold Weber, Manager of the Oakland Chamber of Commerce, and urge that steps be taken by the Chamber, through the San Francisco Chamber of Commerce, whose representatives will be in Washington on May 3, to have them use their best endeavors to further the passage of the Tolan Bill at this session of the Congress; further, that Representative Richard J. Welch, who is expected to visit San Francisco within a few days, be urged to actively support the Bill.



Copy of telegram to Congressman Carter in respect to threatened movement of Department of Commerce offices from Oakland Municipal Airport, was filed. The Port Manager stated that on noting a press dispatch relative to proposed reorganization in the Department of Air Commerce he had wired Congressman Carter for full information in respect to the matter, but, as yet, had received no reply; further, that on April 23 he had conferred with Major R. D. Bedinger, the present Supervising Aeronautical Inspector at Oakland Municipal Airport, and J. S. Marriott, Inspector at Los Angeles, and that he had been informed that at a recent conference, which they had attended at Washington, a decision had been reached to divide the United States into seven districts, two of which will be on the Pacific Coast; that the headquarters for the Northern District, which will include the states of Washington, Oregon, Idaho, Montana, and Alaska, will be at Seattle and will be supervised by Major Bedinger, while the South Pacific states, consisting of California, Nevada, and Arizona, will have headquarters at Los Angeles, where, on account of the location of large airplane factories, a large number of inspectors are employed; that Mr. Marriott, who will continue in charge at Los Angeles, informed the Port Manager that no reduction in personnel at the Oakland Municipal Airport is contemplated.

Communication from the Port Manager relative to request of Regional Director of Public Works Administration for listing of new projects in which the Board may be interested was read, and following discussion, it was pointed out that inasmuch as the Oakland Yacht Club had previously made application to the Board for increasing the size of the yacht Harbor, an item covering this improvement should be included in the list of proposed harbor improvements, and the Port Manager was directed to advise the Public Works Administration's Regional Director that the Board would be interested in making application for further Federal funds for the improvement of the harbor and Airport.

Communication from the Oakland Junior Chamber of Commerce advising that the Junior Birdmen of America will hold their annual celebration at the Oakland Municipal Airport on Sunday, May 1, at which a large number of flying events will be featured, and requesting contribution of \$25.00 to assist in defraying the expense of the event, was read and resolution later passed authorizing a contribution of \$25.00 to assist in defraying expenses, which will be incurred in carrying out the celebration at the Oakland Municipal Airport.

Communication from the United States Naval Reserve requesting that E. F. O'Brien, Port employee, be granted leave of absence to attend its annual training cruise from July 2 to 15 inclusive, together with communication from

the U. S. Marine Corps requesting that leave of absence be granted to R. L. Westdahl, Port employee, to attend annual encampment from June 5 to 19 inclusive, was read and it was the consensus of the Board that leaves of absence should be granted the employees in keeping with the provisions of the City Charter.

Communication from Lt. Colonel J. A. Dorst, U. S. Engineer, giving public notice in respect to application of the City of Alameda to lay an armored submarine power cable from Alameda to Government Island, and requesting filing of objection, if any, was read and no objection was indicated to the laying of the proposed cable.

Communication from John Tamboury, Dock Sweeper and Watchman, requesting sick leave for fourteen days, commencing April 18, together with physician's certificate, was read and resolution later passed granting leave as requested, in accordance with the rules of the Civil Service Board.

Communication from the Richfield Oil Co. expressing appreciation for the Board's action in permitting them to remove five oil tanks from their plant in the Outer Harbor, was filed.

Communication from E. B. Bumstead offering to sell 120 acres of property in Alameda, adjoining the Oakland Municipal Airport, for \$35,000.00 was read and matter deferred for further consideration.

Communication from the Port Manager advising that negotiations have been completed with the California Redwood Box Co. for rental of building at the foot of Nineteenth Avenue on a month to month basis at \$50.00 per month, together with a payment of \$50.00 per month on past due rentals, dating back to October 1, 1936, was read. The Board directed that an agreement be prepared with the California Redwood Box Co. on the basis as set forth in the Port Manager's letter.

Copy of City Manager's report to the City Council on affairs of the City for the month of March, 1938, was filed.

The Assistant Port Attorney submitted a memorandum to the effect that Mr. Sturzenacker, Chief of Division of State Lands, advises that he is unable to effect a lease with the Southern Pacific Company for the State property at the foot of Broadway, and is tired of the situation; further, that he will support the transfer of these tidelands to the City at the next session of the Legislature.

The Assistant Port Attorney reported that the Port's brief in the Stockton-European rate case, which is due for filing in Washington on May 15, is nearing completion and that the Port Attorney was absent from the meeting in order to devote his time to necessary library work in connection with the

brief. He further reported that other Counsel were writing independent briefs.

The Assistant Port Attorney reported that additional briefs had been received during the week in tideland title issue, now pending before the United States Supreme Court, from Attorneys George Wickham of Los Angeles as amicus curium, and Frank M. Dinnell for respondent, and that these briefs urge that cities have a mere surface easement for harbor uses and cannot alter conditions of trust.

In connection with the purchase of the forty-acre tract easterly and adjoining the Oakland Municipal Airport, the Assistant Port Attorney reported that Attorney Steinberg had advised that all papers on behalf of the Stone interests are now in escrow and it is expected that the Fontana mortgage releases will be filed any day; further, that Mr. Keith advises that he is prepared to deliver the deed to the City.

The Port Manager reported that Mr. Tom Crowley had given assurance that he would meet with the Board at its next meeting to discuss the matter of his proposed lease of waterfront property at the foot of Fourteenth Avenue.

The Port Manager advised that the arrangements for the Pacific International Air Races to be held at the Airport on May 28 - 30 inclusive were proceeding satisfactorily.

The Port Manager reported that he had received a letter from the Aeronautical Chamber of Commerce of America appointing him as a member of its Airport Committee in its Division of Operations.

The Port Manager reported as follows on the status of certain funds as of April 22, 1938:

<u>Harbor Maintenance and Improvement Fund (No.226)</u>	
Unencumbered Cash Balance as of April 22, 1938.....	\$ 53,699.02
Set up in Special Funds 220 and 222 .....	95,000.00
Total Unencumbered Cash in all revenue funds as of	
April 22, 1938 .....	148,699.02
Total Unencumbered Cash in all revenue funds as of	
March 31, 1938 ,.....	131,977.31
 <u>1925 Oakland Harbor Improvement Fund (No. 567)</u>	
Cash Balance as of April 22, 1938 .....	168,694.15

The report of the Port Manager submitting tonnage statistics for the month of March, 1938, was filed.

The report of the Oakland Airport Transportation Service for the month of March 1938, showing loss of \$23.73, was filed.

The report of the Port Manager advising that twenty-seven license agreements have been entered into with ark dwellers in Brooklyn Basin and \$135.00 in rentals collected, was filed.

The reports of the Auditing Committee on weekly pay rolls, and claims

and demands, were adopted.

The following resolutions were introduced and passed by the following vote:

AYES: Commissioners Colbourn, Fisher, Pardee, Roland, and President McElroy -5-

NOES: None

ABSENT: None

"RESOLUTION NO. 4621

RESOLUTION APPROVING WEEKLY PAY ROLLS, RATIFYING ALL HIRINGS AND EMPLOYMENTS THEREIN AND REIMBURSING PORT REVOLVING FUND.

BE IT RESOLVED that the weekly pay rolls for the weeks ending April 5, 12 and 19, 1938, be and the same are hereby approved and the hiring or employment of each and all of the services therein set forth at the compensations therein paid is hereby ratified, confirmed and approved, and

BE IT FURTHER RESOLVED that the demand against the Harbor Maintenance and Improvement Fund for the reimbursement of the Port Revolving Fund in the amount set forth therein, having been approved by the Auditing Committee, is hereby approved and allowed and the City Auditor be and he is hereby authorized and directed to draw his warrant for the same and make such reimbursement.

HARBOR MAINTENANCE AND IMPROVEMENT FUND: Port Revolving Fund Payrolls - \$1,977.75."

"RESOLUTION NO. 4622

RESOLUTION APPROVING AND ALLOWING CERTAIN CLAIMS AND DEMANDS.

RESOLVED: That the following claims and demands, having been approved by the Auditing Committee, be and the same are hereby approved and allowed by the Board of Port Commissioners and the Auditor is authorized to draw his warrant for the same out of the proper Fund:

LEASED WHARF IMPROVEMENT FUND: Howard Terminal \$ 3,605.58 Sunset Lumber Company, Sidney M. Hauptmann, Trustee 16.72

HARBOR MAINTENANCE AND IMPROVEMENT FUND: Pay Rolls - Administrative Department 2,115.00 " " - Airport 860.00 " " - Engineering Department 2,216.50 " " - Grove and Market Street Piers 1,783.90 " " - Maintenance Department 2,785.45 " " - Ninth Avenue Pier 526.13 " " - Outer Harbor Terminal 4,986.83 " " - Traffic Department 1,482.50 American Auto Metal Works 19.00 American Bitumuls Company 35.28 Baker, Hamilton & Pacific Company 59.76 Bay Cities Asbestos Co. 25.24 Bay City Lumber Co. 21.20 Geo. R. Borrmann Steel Company 5.89 Burroughs Adding Machine Company 17.47 Cochran & Celli 7.20 Columbia Wood and Metal Preservative Co. 235.77 East Bay Blue Print and Supply Co. 12.00 East Bay Glass Company .61 The Electric Corporation of Oakland 33.42 General Electric Company 1.45 General Petroleum Corporation of California 22.66 Gilson Electrical Supply Co. 22.98 Graybar Electric Company, Inc. 44.11

E. R. Hatherly Company	2.00
C. J. Hendry Company	119.17
Higgins Company	34.50
Independent Construction Co., Ltd.	959.00
International Business Machines Corporation	5.00
The International Press	19.06
Link-Belt Company	148.57
The Marine Exchange of the San Francisco Chamber of Commerce	10.00
C. W. Marwedel	3.54
Melrose Lumber & Supply Co.	18.08
National Lead Company	63.64
Oakland Plumbing Supply Co.	17.11
Pacific Steel Sales Co. Ltd.	57.64
Pacific Tool and Supply Company	.33
Joseph Pierotti & Co.	.46
RCA Manufacturing Company, Inc.	8.91
Richfield Oil Corporation	6.40
Rio Grande Oil, Inc.	198.24
Royal Typewriter Company	108.62
Sanders Glass Company	25.30
San Francisco Commercial Club	25.57
Sentinel Sanitary Supply Company	12.73
Smith Brothers	6.57
Sunset Lumber Company, Sidney M. Hauptman, Trustee	22.05
Union Oil Company of California	1.30
United Office Machine Company	9.09
West Disinfecting Company	5.10
Western Auto Supply Company	.45
The Western Union Telegraph Company	13.48
White Investment Company	50.00
E. K. Wood Lumber Co.	322.70
Zellerbach Paper Company	12.72
Port Revolving Fund - Miscellaneous	887.21
	<u>\$24,117.19"</u>

"RESOLUTION NO. 4623

RESOLUTION GRANTING PERMISSION  
TO RHODES-JAMIESON, LTD. TO  
MAKE REPAIRS.

BE IT RESOLVED that the plans and specifications submitted by Rhodes-Jamieson, Ltd. for repairs to the wharf at the foot of Twenty-third Avenue, at an estimated cost of \$1500, and the application for permission to make the same be and the same are hereby approved at the sole risk and expense of said applicant."

"RESOLUTION NO. 4624

RESOLUTION AWARDING CONTRACT  
FOR FURNISHING AND DELIVERING  
OF REINFORCING STEEL TO OAKLAND  
MUNICIPAL AIRPORT.

RESOLVED that the bid of The California Wire Cloth Corporation, a corporation, for the furnishing and delivering of reinforcing steel to Oakland Municipal Airport, Oakland, which bid provides for a discount of one half of one per cent on the contract price, if paid within thirty days after date of completion and acceptance of contract, is hereby found and determined to be the lowest responsible bid received, and the contract for said material is hereby awarded to said The California Wire Cloth Corporation, in accordance with the terms of its said bid filed April 18, 1938.

BE IT FURTHER RESOLVED that, pursuant to the specifications, the certified check accompanying said bid shall be held as bond as a guarantee of the delivery of said materials. At and upon such delivery, said certified check shall be returned to said Corporation.

BE IT FURTHER RESOLVED that the other bids received for said contract be and the same are hereby rejected and the checks accompanying same shall be returned to the proper persons."

"RESOLUTION NO. 4625

RESOLUTION EXTENDING TIME FOR  
PERFORMANCE OF CONTRACT WITH  
DANIEL CONTRACTING COMPANY.

RESOLVED that the time for the performance of the contract with Daniel Contracting Company for the performance of clam shell dredging in the harbor adjacent to Smith Lumber Company's wharf in the Brooklyn Basin, Inner Harbor, Oakland, be and the same is hereby extended to and including May 9th, 1938."

"RESOLUTION NO. 4626

RESOLUTION AWARDING CONTRACT  
FOR FURNISHING AND DELIVERING  
MATERIALS FOR OIL MACADAM PAVE-  
MENT TO MARITIME STREET.

RESOLVED that the contract for furnishing and delivering of materials for oil macadam pavement to Maritime Street, Outer Harbor, Oakland, be and the same is hereby awarded to Lee J. Immel, in accordance with the terms of his bid, filed April 18, 1938.

BE IT FURTHER RESOLVED that, pursuant to the specifications, the certified check accompanying said bid shall be held as bond as a guarantee of the delivery of said materials as contracted for. At and upon such delivery, said certified check shall be returned to said Company.

BE IT FURTHER RESOLVED that the other bids received for said contract be and they are hereby rejected and the checks accompanying the same shall be returned to the proper persons."

"RESOLUTION NO. 4627

RESOLUTION AUTHORIZING LICENSE AGREEMENT  
WITH SAN FRANCISCO STEVEDORING COMPANY.

BE IT RESOLVED that the President of this Board be and he is hereby authorized to enter into an agreement with San Francisco Stevedoring Company, a corporation, as Licensee, providing for the occupancy by Licensee of an area of 4000 square feet in the storehouse building, North Industrial Area, Outer Harbor Terminal, for a period of one year commencing March 1, 1938, at a monthly rental of \$50.00, and such agreement shall be upon the general form of license agreement customarily used by this Board."

"RESOLUTION NO. 4628

RESOLUTION CREATING TEMPORARY  
POSITION OF PORT TELEPHONE  
OPERATOR.

BE IT RESOLVED that there is hereby created the temporary position of Port Telephone Operator at a salary of \$100 per month, effective April 25, 1938, for a period not to exceed thirty days from such date."

"RESOLUTION NO. 4629

RESOLUTION GRANTING LEAVE  
OF ABSENCE WITH PAY TO JOHN  
TAMBOURY, DOCK SWEEPER AND  
WATCHMAN.

RESOLVED that John Tamboury, Dock Sweeper and Watchman (Port Ordinance No. 222, Section 8.23), is hereby granted a leave of absence on account of illness, said leave to be for 14 days commencing April 18, 1938, with compensation at the rate of 75% of the salary payable such employe, as provided by the rules of the Civil Service Board."

"RESOLUTION NO. 4630

RESOLUTION AUTHORIZING PAYMENT OF A PORTION  
OF THE EXPENSES TO BE INCURRED IN CONNECTION WITH  
CELEBRATION OF JUNIOR BIRDMEN OF AMERICA.

Whereas the Junior Birdmen of America will hold its annual birthday celebration at the Oakland Municipal Airport on Sunday, May 1, 1938 under the co-sponsorship of the Oakland Junior Chamber of Commerce, and it is desired to cooperate in the carrying on of such occasion in order to assist in furthering the promotion of the airport and the advertising of its advantages, and such payment is in order, now therefore,

BE IT RESOLVED that, in consideration that the Oakland Junior Chamber of Commerce shall undertake and arrange the program of such celebration under the general direction of this Board and shall assume all responsibility arising in connection therewith, and provide for appropriate publicity, this Board shall pay to the Chamber the sum of not to exceed \$25.00 and sanction the conduct of such celebration."

"RESOLUTION NO. 4631

RESOLUTION AUTHORIZING AND DIRECTING  
LEGAL PROCEEDINGS WITH HOGAN LUMBER  
COMPANY RELATIVE TO OPERATION OF WHARF  
NEAR FOOT OF HARRISON STREET UPON  
STATE TIDELAND PROPERTY.

RESOLVED that the Port Attorney be and he is hereby authorized and directed to institute such legal proceeding or proceedings, and to take such other measures as may be required against Hogan Lumber Company, a corporation, and other interested parties, if any, to determine finally, by appeal if necessary, the Company's right to the maintenance and operation of the lumber wharf, or portion thereof, which it maintains near the foot of Harrison Street and which extends over on to state-owned tidelands, and to determine the titles, rights and privileges of the City of Oakland in respect thereto, and to do all things that may be proper or convenient in the premises."

The following resolution was introduced and passed by the following vote:

AYES: Commissioners Colbourn, Fisher, Pardee, and President  
McElroy -4-

NOES: None

ABSENT: None

NOT VOTING: Commissioner Roland -1-

"RESOLUTION NO. 4632

RESOLUTION AWARDING CONTRACT  
FOR FURNISHING AND DELIVERING  
CRUSHER RUN ROCK TO OAKLAND  
MUNICIPAL AIRPORT.

RESOLVED that the contract for the furnishing and delivering of 10,000 tons, more or less, of crusher run rock to Oakland Municipal Airport be and the same is hereby awarded to Heafey-Moore Co., a corporation, in accordance with the terms of its bid, filed April 18, 1938, said bid being the only bid received for said contract.

BE IT FURTHER RESOLVED that, pursuant to the specifications, the certified check accompanying the bid of said Company shall be held as bond as a guarantee of the furnishing and delivering of said rock. At and upon such delivery, said certified check shall be returned to said Company."

Pursuant to Resolutions 4619 and 4620 and advertising for five consecutive days in the city's official newspaper, bids for Furnishing and Delivering Two Thousand Barrels, more or less, of Portland Cement, and Furnishing and Delivering Concrete Aggregates to Oakland Municipal Airport, were received between the hours of 3:30 and 4:30 p.m. At the hour of 4:30 p.m., the following bids, being all the bids received, were publicly opened:

FURNISHING AND DELIVERING TWO THOUSAND  
BARRELS, MORE OR LESS, OF PORTLAND  
CEMENT TO OAKLAND MUNICIPAL AIRPORT.

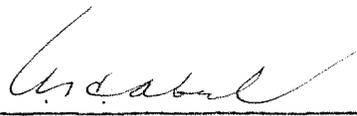
<u>Bidder</u>	<u>Per Bbl.</u>	<u>Total</u>	<u>Certi- fied check</u>
Rhodes & Kennedy, Inc.	\$2.49	\$4,980	\$500
Henry Cowell Lime and Cement Co.	2.49	4,980	500
Albert C. Moe	2.49	4,980	500
Powell Bros., Inc.	2.49	4,980.	500
Alta Building Material Co.	2.49	4,980	500
Transit Concrete, Ltd.	2.49	4,980	525
Melrose Building Materials Co.	2.49	4,980	500
Superior Rock Co.	2.49	4,980	500
Rhodes & Jamieson, Ltd.	2.49	4,980	500

FURNISHING AND DELIVERING CONCRETE  
AGGREGATES TO OAKLAND MUNICIPAL AIRPORT.

<u>Bidder</u>	<u>ITEM A 1200 tons Coarse Aggre- gate Per ton</u>	<u>ITEM B 800 tons Fine Aggregate Per ton</u>	<u>Total bid</u>	<u>Certified check</u>
Rhodes & Kennedy, Inc.	\$1.43	\$1.43	\$2,860	\$300
Henry Cowell Lime & Cement	1.43	1.43	2,860	300
Albert C. Moe	1.43	1.43	2,860	300
Powell Bros. Inc.	1.43	1.43	2,860	325
Alta Building Materials Co.	1.43	1.43	2,860	300
Transit Concrete, Ltd.	1.43	1.43	2,860	300
Melrose Building Materials Co.	1.43	1.43	2,860	300
Superior Rock Co.	1.84	1.84	3,680	375
Rhodes & Jamieson, Ltd.	1.43	1.43	2,860	300

These bids were referred to the Port Attorney as to legality and the Port Manager for recommendation as to acceptance of the bids.

ADJOURNED.

  
SECRETARY

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

of the

PORT OF OAKLAND

Held on Monday, May 2, 1938, at the hour of 3:30 p.m., in the office of the Board, Room 75, Grove Street Pier, due written notice of such meeting having been given members of the Board.

Commissioners present: Colbourn, Fisher, Pardee, Roland, and  
President McElroy-5-

Commissioners absent: None

The Port Manager, Assistant Chief Engineer, and Port Attorney were also present.

The minutes of the regular meeting of April 25, 1938, were read, approved and adopted.

Communication from Congressman John H. Tolan, advising that Chairman

Hamilton of the Naval Affairs Sub-Committee, at request of Congressmen Buck of Vallejo and McGrath of San Mateo, will hold further hearing on the Tolan Bill to enable them to present opposition testimony, and that Chairman Hamilton will notify him and Navy officials when the hearing will be held, was filed.

Copies of telegrams received by Chamber of Commerce from Congressman Tolan in respect to the Oakland Naval Supply Base, and Bureau of Air Commerce changes in Administrative Divisions, which will not materially affect government activities at the Oakland Municipal Airport, were filed.

Communication from the Port Manager advising of death of Mr. Fred Moore, Superintendent at the Livingston-Dennison Street lumber docks, and recommending successor and arrangement for handling operations at these docks, was read and referred to Commissioners Colbourn and Roland for report.

Communication from Congressman Albert E. Carter acknowledging the Board's telegram relative to the Naval Base site, and advising that he is cooperating with Congressman Tolan in every effort to further the passage of the Tolan Bill, was filed.

Communication from J. A. Riley, Meteorologist, in charge of the Weather Bureau at the Oakland Municipal Airport, advising that radiometeorograph observations are being contemplated for Oakland Municipal Airport, using helium gas for filling balloons instead of hydrogen, and requesting that housing be provided for storing of helium gas containers and for inflation of balloons, was read and the Port Manager was directed to submit estimate of cost of enclosures, as requested by Mr. Riley.

Communication from the Port Manager, recommending creation of one additional position of Lumber Carrier Operator at Ninth Avenue Terminal in order to reduce the amount of overtime to operators, was read and referred to Commissioners Colbourn and Roland for report.

Commissioner Colbourn reported that he had a conference with Mr. E. J. Foulds, General Counsel of the Southern Pacific Company, in respect to the property allegedly owned by the Southern Pacific Company at the foot of Broadway, and that Mr. Foulds had indicated that inasmuch as the ferry service to the company's slip at the foot of Broadway had now been discontinued, he would welcome a discussion of the matters pertaining to property ownership in this location. After discussion, it was the consensus of the Board that a joint survey of the property lines, which would include the determination of the lowtide line, would be necessary as a preliminary to any negotiations having to do with the embarcadero which would pass through the Southern Pacific property from Washington to Franklin Streets, and the Port Manager

400

was directed to endeavor to arrange with Mr. Foulds for a joint survey of the property lines by the Southern Pacific and Port engineers.

Copies of the Tolan Bill, H. R. 6734, were furnished all members and it was reported that Mr. Charles Page, Executive Vice-President of the San Francisco Chamber of Commerce, and others, expect to be in Washington on May 3 to attend the Annual Convention of the United States Chamber of Commerce, and that they will confer with Congressman Tolan and Mr. Wm. S. Culbertson in respect to the Oakland Naval Supply Base legislation and the opposition thereto by Vallejo interests.

The Port Manager reported that the Fettengill Bill, repealing the long and short haul restrictions on railroad freight rates, had been reported out favorably on April 26th by the Senate Interstate Commerce Committee, and that the Pacific American Steamship Association was planning a campaign against adoption of the bill which would deal a heavy blow to Pacific Coast shipping.

The Port Attorney reported that the suit of the Mileage Gasoline Company against the City for payment allegedly due them for gasoline furnished the City of Oakland had been set for trial before U. S. District Judge Roche on May 27. In this connection it was recalled that the Board had approved claims of the Mileage Gasoline Company for gasoline used in the Port Department but that these claims had been rejected by the City Auditor, and that the results of the trial would determine the matter.

The Port Attorney reported that the City Attorney and District Attorney have agreed on partial refund of taxes to the Pacific Steel & Wire Company, and that details may be completed in the near future which will permit the payment to the Board from the escrow account of the past due rentals.

The Port Attorney reported that he had received a communication from the Maritime Commission setting May 9 for the opening of further hearings, on the European Steamship Company's practices, in Seattle, Washington, and that further hearings would undoubtedly be held at the various ports along the coast.

The Port Attorney reported that he had completed the Port's brief in the Stockton-European rate case, recently heard before the Maritime Commission, and that as soon as copies were received from the printer it would be forwarded to Washington for filing prior to May 15.

The Port Attorney stated that transcript in the American Dredging Company's condemnation case had been filed with the District Court of Appeal.

In respect to the tideland issue now before the U. S. Supreme

Court, the Port Attorney stated that he had received a copy of the brief filed by the State Attorney General and that he had found the brief to be extensive and carefully written.

The Port Manager reported that the Port of Tacoma had closed its port on April 30 due to inter-union strife, the immediate trouble being failure of A. F. of L. longshoremen to pass through picket line of the Seamen's Union, thereby prohibiting the unloading of vessels.

In respect to Airport matters, the Port Manager reported that the Junior Birdmen and Junior Chamber of Commerce held a successful meet at the Oakland Municipal Airport on Sunday, May 1, 1938; that W. K. Vanderbilt had sent his giant Sikorsky, a two-motored amphibian plane, to the Oakland Municipal Airport for servicing and storage while visiting in the Bay region and at Carmel; and that during the coming week the Pacific International Air Race Association will start erecting grandstands for air races on May 28-30 and that the Port Manager had requested the Association to purchase rock for a roadway to connect with Alameda. It was further reported that the new Works Progress Administration Airport Project is now underway and that the extension of the north and south runway has been started.

The Port Manager reported that on April 27 he had attended an Aviation Conference at Sacramento, at which meeting steps were taken to form a California Aviation Council for the handling of State and National Aeronautical matters.

The Port Manager reported as follows on the status of certain funds as of April 29, 1938:

<u>Harbor Maintenance and Improvement Fund (No. 226)</u>	
Unencumbered Cash Balance as of April 29, 1938.....	\$ 51,085.00
Set up in Special Funds 220 and 222.....	95,000.00
Total Unencumbered Cash in all revenue funds	
as of April 29, 1938.....	146,085.00
Total Unencumbered Cash in all revenue funds	
as of March 31, 1938.....	131,977.31
<u>1925 Oakland Harbor Improvement Fund (No. 567)</u>	
Cash Balance as of April 29, 1938.....	168,694.15

The Port Manager submitted a report on the bids received at the April 25th meeting for 2000 barrels of Portland Cement and 2000 tons of Concrete Aggregates, stating that all of the nine bids for cement were identical, the price bid being \$2.49 per barrel, the same as submitted at the Board's meeting of April 18th. In respect to the Concrete Aggregates, it was reported that eight of the bids were identical, being \$1.43 per ton, the ninth bid by the Superior Rock Co. being \$1.85 per ton, and that these bids were also identical with those received by the Board at its meeting of April 18th. The Port Manager further reported that he had endeavored to obtain prices in the open market lower than those bid, but without success.

After discussion, during which representatives of six of the firms which submitted bids were present, the Board decided to continue the matter of decision of award of contract until its next meeting.

The report of the Auditing Committee on claims and demands, was adopted.

The following resolutions were introduced and passed by the following vote:

AYES: Commissioners Colbourn, Fisher, Pardee, Roland, and President McElroy -5-  
NOES: None  
ABSENT: None

"RESOLUTION NO. 4633

RESOLUTION APPROVING AND ALLOWING CERTAIN CLAIMS AND DEMANDS.

RESOLVED: That the following claims and demands, having been approved by the Auditing Committee, be and the same are hereby approved and allowed by the Board of Port Commissioners and the Auditor is authorized to draw his warrant for the same out of the proper Fund:

HARBOR MAINTENANCE AND IMPROVEMENT FUND:

Air Reduction Sales Co.	\$	5.67
American Bitumuls Company		34.58
American District Telegraph Company		.50
The American Rubber Manufacturing Co.		58.12
American Tractor Equipment Corporation		20.70
Baker, Hamilton & Pacific Company		6.06
Bay City Iron Works		1.00
Best Universal Lock Co.		1.61
Geo. R. Borrmann Steel Company		15.35
California-Arizona Cotton Association		25.00
California Pottery Company		10.17
Charles W. Carter Co.		3.44
City of Oakland, City Hall		403.77
City of Oakland, Garage		1.05
Cochran & Celli		2.72
East Bay Blue Print and Supply Co.		1.39
East Bay Glass Company		1.81
East Bay Municipal Utility District		539.38
East Bay Municipal Utility District		94.34
The Electric Corporation of Oakland		75.71
W. P. Fuller & Co.		56.01
General Steamship Corporation, Ltd.		250.00
Haiden Auto Parts, Ltd.		1.52
Industrial Gear and Machine Works		4.64
E & R James Co.		9.91
Johns-Manville Sales Corporation		152.38
L. N. "Len" Johnson-Typewriters		2.25
Laher Spring and Tire Service		12.06
Libby, McNeill & Libby		49.20
Maxwell Wholesale Hardware Company		187.07
Melrose Lumber & Supply Co.		99.62
National Lead Company		53.51
Oakland Airport Transportation Service		200.00
Oakland Association of Insurance Agents		51.80
Oakland Fire Extinguisher Company		7.73
Oakland Plumbing Supply Co.		1.95
Pacific Gas and Electric Company		1,283.44
The Pacific Telephone and Telegraph Company		29.10
The Pacific Telephone and Telegraph Company		244.00
Pacific Tool and Supply Company		2.99
Pure Carbonic, Incorporated		3.28
Rio Grande Oil Company		200.65
Rio Grande Oil, Inc.		1.55
Schirrmacher Co.		1.00
Sentinel Sanitary Supply Company		15.14
Sevals & Hedlund		2.26
Shell Oil Company		24.72

Shields, Harper & Co.	\$ 5.27
B. Simon Hardware Co.	21.56
Smith Brothers	10.09
Thomas Sanitary Supply Co.	19.93
The Tribune Press	175.00
The Tribune Publishing Co.	415.40
Zellerbach Paper Company	6.36
Geo. A. Attwood	36.32
Geo. H. Nash	79.15
Lee J. Immel	390.60
Ariss-Knapp Company, Inc.	6,902.43
Postmaster, Oakland	115.12
	<hr/>
	\$12,427.38 "

"RESOLUTION NO. 4634

RESOLUTION EXTENDING TIME  
FOR PERFORMANCE OF CONTRACT  
WITH AMERICAN CONCRETE AND  
STEEL PIPE COMPANY.

RESOLVED that the time for the performance of the contract with American Concrete and Steel Pipe Company for furnishing and delivering concrete pipe to Outer Harbor Terminal, Oakland, be and the same is hereby extended to and including June 6th, 1938."

"RESOLUTION NO. 4635

RESOLUTION APPROVING PLANS  
AND SPECIFICATIONS FOR SURFACE  
PAVING OF NINTH AVENUE PIER EXTENSION.

RESOLVED that the plans and specifications prepared by the Port Manager and Chief Engineer, and filed with this Board, for surface paving of Ninth Avenue Pier Extension, Oakland, (P.W.A. Docket No. 1629 - Contract No. 5), be and the same are hereby approved, and the Port Manager is authorized to submit said plans and specifications to the State Director, Federal Emergency Administration of Public Works, United States of America, for his approval.

BE IT FURTHER RESOLVED that when such approval thereof is had, the Secretary of this Board is hereby authorized to advertise for five (5) consecutive days in the official newspaper for sealed proposals for the work contemplated and the supplies to be furnished under such plans and specifications, as required by law."

"RESOLUTION NO. 4636

RESOLUTION AUTHORIZING AGREEMENT  
WITH SAN FRANCISCO STEVEDORING  
COMPANY.

BE IT RESOLVED that the President of this Board be and he is hereby authorized to enter into an agreement with San Francisco Stevedoring Company, a corporation, as Licensee, providing for the occupancy by Licensee of an area of 2000 square feet on the Wharf Street Unit, Outer Harbor Terminal, on a month to month basis, commencing April 15, 1938, at a rental of \$15.00 per month, and such agreement shall be upon the general form of license agreement customarily used by this Board."

"RESOLUTION NO. 4637

RESOLUTION APPROVING REINSTATEMENT  
OF RUTH H. ANTISDEL.

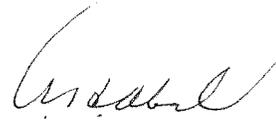
RESOLVED that the reinstatement of Ruth H. Antisdell for temporary work in the position of Port Telephone Operator created by Resolution No. 4628 is hereby approved, said appointment being effective as of April 25, 1938."

The Port Manager reported that Mr. Tom Crowley had requested postponement of his conference with the Board in respect to proposed lease on Port property at the foot of Fourteenth Avenue to the Board's meeting

of May 9th, which he would attend.

Letter requests of the San Francisco Examiner, San Francisco Chronicle and San Francisco News for a port advertisement in their forthcoming Diamond Jubilee issues, celebrating San Francisco Harbor, which had previously been received by the Board, were further considered and the Port Manager directed to advise the newspapers that advertising space would not be taken.

ADJOURNED.

  
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S E C R E T A R Y

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS  
of the  
PORT OF OAKLAND

Held on Monday, May 9, 1938, at the hour of 3:30 p.m., in the office of the Board, Room 75, Grove Street Pier, due written notice of such meeting having been given members of the Board.

Commissioners present: Colbourn, Fisher, Pardee, Roland, and  
President McElroy -5-

Commissioners absent: None

The Port Manager, Port Attorney, and Assistant Chief Engineer were also present.

The minutes of the regular meeting of May 2, 1938 were approved, as read, and adopted.

Communication from Libby, McNeill & Libby requesting substitution of \$1000 Cudahy Packing Co. 3-3/4% bond due in 1955 for Swift & Co. bond No. 26238 for \$1000, called for redemption May 15, 1938, which bond is being held in escrow by American Trust Co. for performance of lease agreement, was read and request granted.

Communication from Captain R. C. Mangrum, Marine Corps Reserve at the Oakland Municipal Airport, requesting the use of rifle range building for barracks for reservists during the fifteen-day active duty training period commencing June 5, and inviting the Board to be present at the Annual Inspection of the Reserve on Sunday, May 15, 1938, was read and the Port Manager directed to advise Captain Mangrum that the rifle range building will be made available with temporary flooring as requested.

Communication from the Oakland Tribune requesting the placing of an Airport advertisement in special tabloid edition May 28th at a cost of \$235.20, was read and the Port Manager directed to advise the Oakland Tribune that no provision having been made in the Board's advertising budget, an advertisement would not be taken in the tabloid edition.

Communication from the Port Manager advising that offer to furnish and deliver to Oakland Municipal Airport 2000 barrels cement at \$2.48 per barrel has been received from Rhodes & Kennedy, and that an offer to furnish 2000 tons concrete aggregates at \$1.42½ has been received from Powell Bros., and recommending rejection of bids received on April 25 and authorization for purchase of materials in open market, was read. Several representatives of suppliers of cement and concrete aggregates were present and were given an opportunity to present any information they desired prior to the Board taking action in the matter, and there being no suggestion or protest received from those present, the Board later passed resolution rejecting all bids which were received for cement and concrete aggregates at its meeting of April 25, and directed the Port Manager to purchase the required cement and concrete aggregates in the open market.

The Port Manager's Certificate of Completion of contract with Daniel Contracting Co. for clam shell dredging adjacent to the Smith Lumber Co. Wharf, under which contract 5703 cubic yards of material was dredged, was filed.

Communication from the United States Treasury Department, Customs Service, advising that the present partitions for Bonded Space at the Municipal Terminals do not meet revised specifications of January 12, and requesting that new partitions be provided prior to October 31, 1938, was read and the Port Manager directed to provide partitions at the municipal terminals which would conform to the Treasury Department's revised specifications.

Communication from the U. S. Treasurer, enclosing check for \$16,050.00 tendered as second installment on Federal Grant of \$72,225.00 for construction of Ninth Avenue Pier Extension, was filed. The Port Manager stated that \$56,175.00 of the total grant has now been received from the Federal Government for this project.

Communication from A. S. Dudley, Temporary Chairman, California Aviation Council, submitting suggested organization plan for California Council and requesting the Board's reaction to formation of an organization of this nature, was read and the Port Manager directed to advise Mr. Dudley that the Board would be pleased to cooperate in furthering an organization as proposed.

Communication from W. S. Laidlaw, Chairman Finance Committee, Inter-coastal and Coastwise Water Lines, requesting a contribution of \$250.00 to

assist in defraying expenses incidental to combatting passage of Pettengill Bill in Congress, was read and action deferred until the next Board meeting. The Port Attorney was directed to submit an opinion on the Board's ability to make contribution as requested.

In respect to the Pettengill Bill, the Port Manager stated that every effort is being made to interest shippers and public bodies to protest the passage of the Bill in the Senate, and the Board authorized the sending of telegrams to Senators Johnson and McAdoo urging them to use every effort to defeat this legislation, which would be detrimental to the steamship and terminal interests.

Copy of letter from W. S. Culbertson, Oakland Chamber of Commerce representative in Washington, D. C., commenting on present status of Tolan Naval Supply Base Bill and urging that Senator McAdoo be advised to press passage of McAdoo bill in the Senate, was filed.

Communication from J. W. Coyne, Dock Clerk, requesting leave of absence for period of thirteen days without pay for personal reasons, was read and resolution later passed granting leave as requested.

Communication from Ragner Berg, Dock Laborer, requesting leave of absence for ninety days without pay for personal reasons, was read. The Port Manager stated that Mr. Berg was serving his probationary period and that he had made request to enable him to take a position as plasterer at increased pay for a period of three months. On the recommendation of the Port Manager, the request was denied.

Communication from the Port Manager recommending the creation of two temporary positions of Power Equipment Operator, Mechanic or Laborer, was read and resolution later passed creating temporary positions as recommended.

Communication from the Port Manager recommending the purchase of one new sedan automobile to replace one of the old automobiles which has been in service for thirteen years with a mileage of more than ninety thousand miles, was read. It was called to the Board's attention that the fiscal year budget included the purchase of two automobiles, one of which had already been purchased. The Board later passed a resolution authorizing the purchase of the automobile in the open market at a cost of \$828.75.

Communication from K. A. Godwin, Acting Regional Director, Public Works Administration, approving plans and specifications for paving Ninth Avenue Pier Extension, was filed.

Communication from K. A. Godwin, Acting Regional Director, Public Works Administration, acknowledging the Board's letter relative to proposed

additional Public Works Administration projects and advising that these will be further considered if and when new legislation authorizing further Public Works Administration projects is enacted, was filed.

Communication from the Atchison, Topeka and Santa Fe Railway Company advising that revised form of agreement settling low tideline meets with its approval and that executed copies were being forwarded, was filed.

Mr. Thos. Crowley met with the Board for a discussion of proposed rental on waterfront land in Brooklyn Basin area at the foot of Fourteenth Avenue occupied by him. Mr. Crowley stated that he had received the communication from the Board advising that the rental for the area to be leased would be \$225.00 per month, and that it would be impossible for him to occupy the land at this rental figure. He stated that due to the uncertainties of the location of the East Shore Highway through the property, he was unable to make any plans for the future enlargement of his activities and that he was contemplating giving up the property and seeking a location for his shipyard elsewhere. The Board stated that it realized that due to the uncertainty of the exact location of the highway and embarcadero to be constructed across the property, it would not desire to enter into an agreement for more than a month to month basis and requested Mr. Crowley to state the amount of rental which he could pay for the property under these conditions. Mr. Crowley stated that he would be willing to pay \$75.00 per month, and after further discussion raised his offer to \$100 per month. President McElroy stated that, eliminating the portion of the property proposed to be used by the State Highway, the area, as shown on the map, should be worth \$125.00 per month. Mr. Crowley stated that he was not agreeable to pay more than \$100.00 per month and President McElroy advised him that the Board would further discuss the matter at its next meeting.

Mr. G. S. Beach and Mr. F. C. Lindsay, representing Libby, McNeill & Libby, met with the Board for a discussion of their request of February 16, 1938, for some relief in respect to payment of storage charges amounting to \$3,939.29, which accrued during the period of the last strike from October 29, 1936 to February 4, 1937 inclusive. Mr. Beach reviewed the history of the case, as set forth in his communication, and urged that the Board cancel the majority of the storage charges. After considerable discussion, President McElroy stated that the Board would be willing to cancel two thirds of the storage bill. Mr. Lindsay stated that he was not authorized to conclude the matter and that he would report the Board's offer to Mr. Gellerson, General Manager, and would then advise the Board as to acceptance of the Board's offer.

The Port Attorney submitted copies of license agreement for the

holding of the air races by the Pacific International Air Race Association, which has been signed by the Association and a resolution was later passed authorizing the execution of the agreement. The Port Manager reported that preparation of the Airport area at the westerly end of the Airport was now underway, and that arrangements had been completed for the construction of a temporary road leading from Maitland Drive to the parking area in rear of the grand stands, and that he had received a letter agreement from the Race Association stating that it would pay for the 1500 cubic yards of rock to be used in the roadway at a price of 62¢ per cubic yard, and further, that bills for the rock would be forwarded to the Race Association as soon as the material was delivered which would be during the coming week. It was further reported that statewide and national publicity was being obtained for Oakland Municipal Airport due to the holding of the air races, and that it was expected that large crowds would visit the Airport from May 28 to 30 inclusive.

The Port Manager called the attention of the Board to the visit of the Oakland League of Women Voters to the Port and Airport on Thursday, May 12, and President McElroy stated that he would represent the Board at the luncheon to be held at the Airport.

The Board's attention was called to the press report that Chairman Land of the U. S. Maritime Commission had announced, on May 2, that the Commission will proceed at once with a one hundred million dollar Federal ship-building program for the Pacific Coast, which contemplates at least twenty-four vessels for Pacific Coast operation; further, Chairman Land voiced the hope that the intercoastal shipping problem would be solved soon.

The Port Manager reported that fourteen airplane schedules of United Air Lines were prohibited from using the San Francisco Airport during April on account of weather conditions.

The Port Manager stated that he had received advice from the U. S. Army Reserve that additional airplanes will be assigned to the Reserve Unit, and that in order to house this equipment, additional hangar space will be required at the Airport.

The Port Manager reported as follows on the status of certain funds as of May 6, 1938:

<u>Harbor Maintenance and Improvement Fund (No. 226)</u>	
Unencumbered Cash Balance as of May 6, 1938.....	\$ 47,409.60
Set up in Special Funds 220 and 222.....	95,000.00
Total Unencumbered Cash in all revenue funds	
as of May 6, 1938.....	142,409.60
Total Unencumbered Cash in all revenue funds as	
of April 30, 1938.....	128,109.42
 <u>1925 Oakland Harbor Improvement Fund (No. 567)</u>	
Cash Balance as of May 6, 1938.....	168,694.15



The report of the Port Manager on progress of the Port for the month of April, 1938, was filed.

The report of the Port Manager submitting Chief Port Accountant's comparative statement of Fund 226 condition for April 1938, March 1938, and April 1937, was filed.

The report of the Port Manager submitting Chief Port Accountant's statement of accounts receivable for the month of April 1938, as compared with March 1938, was filed.

The monthly operations report of the Oakland Municipal Airport for the month of April 1938, showing 100.5 planes hangared at the Airport, was filed.

The reports of the Auditing Committee on claims and demands, and weekly pay rolls, were adopted.

The following resolution was introduced and passed by the following vote:

AYES: Commissioners Colbourn, Fisher, Pardee, Roland, and President McElroy -5-  
NOES: None  
ABSENT: None

"RESOLUTION NO. 4638

RESOLUTION APPROVING WEEKLY PAY ROLLS, RATIFYING ALL HIRINGS AND EMPLOYMENTS THEREIN AND REIMBURSING PORT REVOLVING FUND.

BE IT RESOLVED that the weekly pay rolls for the weeks ending April 26 and May 3, 1938, be and the same are hereby approved and the hiring or employment of each and all of the services therein set forth at the compensations therein paid is hereby ratified, confirmed and approved, and

BE IT FURTHER RESOLVED that the demand against the Harbor Maintenance and Improvement Fund for the reimbursement of the Port Revolving Fund in the amount set forth therein, having been approved by the Auditing Committee, is hereby approved and allowed, and the City Auditor be and he is hereby authorized and directed to draw his warrant for the same and make such reimbursement.

HARBOR MAINTENANCE AND IMPROVEMENT FUND:

Port Revolving Fund Pay Rolls - \$1,347.50"

The following resolution was introduced and passed by the following vote:

AYES: Commissioners Colbourn, Fisher, Pardee, and President McElroy -4-  
NOES: None  
ABSENT: None  
NOT VOTING: Commissioner Roland -1-

RESOLUTION APPROVING AND ALLOWING  
CERTAIN CLAIMS AND DEMANDS.

RESOLVED: That the following claims and demands, having been approved by the Auditing Committee, be and the same are hereby approved and allowed by the Board of Port Commissioners and the Auditor is authorized to draw his warrant for the same out of the proper Fund:

HARBOR MAINTENANCE AND IMPROVEMENT FUND:

Pay Rolls - Administrative Department	\$ 2,121.66
" - Airport	860.00
" - Engineering Department	2,191.50
" - Grove & Market Street Piers	1,678.32
" - Maintenance Department	2,858.47
" - Ninth Avenue Pier	564.26
" - Outer Harbor Terminal	4,943.70
" - Traffic Department	1,466.13
Port Revolving Fund - Miscellaneous	465.07
Blake, Moffitt & Towne	6.46
Bay City Lumber Co.	13.62
Geo. R. Borrman Steel Company	35.74
California Pottery Company	34.30
Cochran & Celli	3.61
East Bay Glass Company	4.62
The Electric Corporation	21.71
Firestone Auto Supply & Service Stores	62.22
Hill & Morton Inc.	28.72
Interstate Stucco Co.	9.09
Kling-Dawers Stationery Co., Inc.	8.33
A. P. Koetitz	145.00
Laird's Stationery	28.31
Maxwell Wholesale Hardware Company	1.33
Melrose Lumber & Supply Co.	103.15
Oakland Association of Insurance Agents	116.62
Pacific Steel Sales Co., Ltd	7.63
Pacific Tool and Supply Company	6.35
Perfect Fit Manufacturing Co.	1.35
Railway Express Agency, Inc.	.15
Rio Grande Oil, Inc.	33.75
Schirmmacher Co.	1.03
Sentinel Sanitary Supply Company	8.88
B. Simon Hardware Co.	31.77
Smith Brothers	6.17
Smith Lumber Company	468.78
Southern Pacific Co.	13.00
Standard Fence Company	19.53
Strable Hardwood Company	12.48
Sidney M. Hauptman, Trustee, Sunset Lumber Company	14.70
Zellerbach Paper Company	7.55
H. G. Adam	16.00
A. C. Meadows	23.81
R. N. Ricketts	19.49
J. S. Saunders	5.77
L. M. Clough Company	563.30
Heafey-Moore Company	1,249.96
Daniel Contracting Company	1,497.04
1925 OAKLAND HARBOR IMPROVEMENT BOND FUND:	
Geo. M. Robinson & Company	8,553.37
Healy-Tibbitts Construction Co.	10,157.96
	\$40,491.76 "

The following resolutions were introduced and passed by the following vote:

AYES: Commissioners Colbourn, Fisher, Pardee, Roland, and  
President McElroy -5-

NOES: None

ABSENT: None

RESOLUTION ACCEPTING CONTRACT WITH DANIEL CONTRACTING COMPANY.

RESOLVED that the contract with Daniel Contracting Company, a corporation, for the performance of clam shell dredging in Brooklyn

Basin having been satisfactorily completed, be and the same is hereby accepted.

BE IT FURTHER RESOLVED that a notice of completion of said contract be duly recorded in the office of the County Recorder of Alameda County."

"RESOLUTION NO. 4641

RESOLUTION REJECTING BIDS FOR  
FURNISHING AND DELIVERING  
PORTLAND CEMENT TO OAKLAND  
MUNICIPAL AIRPORT.

RESOLVED that each and all of the bids received on April 25, 1938, for the furnishing and delivering of 2000 barrels, more or less, of Portland Cement to Oakland Municipal Airport be and the same are, and each of them is, hereby rejected for the reason that said bids are, and each of them is, deemed excessive, and the Port Manager is hereby directed to purchase such cement in the open market but in no case shall such cement be bought at a price as high as the lowest bids received."

"RESOLUTION NO. 4642

RESOLUTION REJECTING BIDS FOR  
FURNISHING AND DELIVERING  
CONCRETE AGGREGATES TO OAKLAND  
MUNICIPAL AIRPORT.

RESOLVED that each and all of the bids received on April 25, 1938, for the furnishing and delivering of 2000 tons, more or less, of concrete aggregates to Oakland Municipal Airport be and the same are, and each of them is, hereby rejected for the reason that said bids are, and each of them is, deemed excessive, and the Port Manager is hereby directed to purchase such concrete aggregates in the open market but in no case shall such concrete aggregates be bought at a price as high as the lowest bids received."

"RESOLUTION NO. 4643

RESOLUTION CREATING POSITIONS  
OF POWER EQUIPMENT OPERATOR  
OR MECHANIC OR LABORER.

RESOLVED that there are hereby created two temporary positions of Power Equipment Operator or Mechanic or Laborer at \$10.00 per day each when working as power equipment operator, \$7.50 per day each when working as mechanic, or \$5.50 per day each when working as laborer."

"RESOLUTION NO. 4644

RESOLUTION GRANTING LEAVE OF ABSENCE WITHOUT PAY  
TO J. W. COYNE, DOCK CLERK.

RESOLVED that J. W. Coyne, Dock Clerk, (Port Ordinance No. 222, Section 8.07) is hereby granted a leave of absence for personal reasons, without pay, said leave to be for 13 consecutive days commencing June 3, 1938."

"RESOLUTION NO. 4645

RESOLUTION AUTHORIZING PURCHASE  
OF AUTOMOBILE IN OPEN MARKET.

RESOLVED that the Port Manager is hereby authorized to purchase a new light sedan automobile in the open market, the purchase price of said automobile to be less than \$1,000."

"RESOLUTION NO. 4646

RESOLUTION AUTHORIZING LICENSE AND  
CONCESSION AGREEMENT WITH INTER-  
NATIONAL AIR RACE ASSOCIATION OF  
AMERICA.

BE IT RESOLVED that the President of this Board be and he is hereby authorized to sign and enter into an agreement with International

Air Race Association of America, a non profit corporation, granting to said corporation as Licensee the license, privilege and concession of conducting competitive and exhibitional aeronautical maneuvers at Oakland Municipal Airport on May 28-30, 1938, subject to the payment to the Port of 25% of the net profits, if any, of said maneuvers, and upon and subject to all the terms, covenants and conditions set forth in the form of agreement heretofore submitted to said corporation and signed and returned by it to this Board for its approval; and be it further

RESOLVED that insofar as it shall be inconsistent with the provisions of this resolution and the agreement herein authorized, RESOLUTION NO. 4434, adopted by this Board November 8, 1937, be and the same is hereby amended."

"RESOLUTION NO. 4647

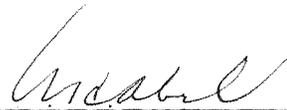
RESOLUTION AUTHORIZING EXTENSION OF LEASE FOR NAVAL RESERVE AVIATION BASE AT OAKLAND MUNICIPAL AIRPORT.

BE IT RESOLVED that the President of this Board be and he is hereby authorized to enter into an agreement with United States of America providing for the further extension for one year, beginning July 1, 1938, of that certain lease dated July 1, 1932, providing for the occupancy by United States Naval Reserve Aviation Unit at Oakland Municipal Airport, at an annual rental of \$3500.00 and upon and subject to all the terms, covenants and conditions in said lease set forth."

Port Ordinance No.\_\_\_\_, being "AN ORDINANCE AMENDING CERTAIN SECTIONS OF PORT ORDINANCE NO. 222" and Port Ordinance No.\_\_\_\_, being "AN ORDINANCE AMENDING PORT ORDINANCE NO. 31, RELATING TO AIRCRAFT USED IN CARRYING PASSENGERS FOR HIRE" were introduced and passed to print by the following vote:

- AYES: Commissioners Colbourn, Fisher, Pardee, Roland, and President McElroy -5-
- NOES: None
- ABSENT: None

ADJOURNED.

  
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S E C R E T A R Y

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

of the

PORT OF OAKLAND

Held on Monday, May 16, 1938, at the hour of 3:30 p.m., in the office of the Board, Room 75, Grove Street Pier, due written notice of such meeting having been given members of the Board.

Commissioners present: Colbourn, Fisher, Pardee, Roland, and President McElroy -5-

Commissioners absent: None

The Port Manager, Port Attorney, and Assistant Chief Engineer were also present.

The minutes of the regular meeting of May 9, 1938 were approved, as read, and adopted.

Communication from Senator Wm. G. McAdoo acknowledging the Board's letter relative to Pettengill Bill and advising that he will give full consideration to the Board's views on opposition to Bill, was filed.

Communication from Lt. Colonel J. A. Dorst issuing Public Notice of dredging of a channel 200' x 11,000' to a depth of thirty feet, and a lagoon 1600' x 3000' to a depth of twelve feet to serve the U. S. Naval Air Station, Alameda, was filed.

Communication from Commander Van H. Ragsdale expressing appreciation of the Board's good wishes as signified in the Port Manager's letter of April 30, and extending his thanks for the Board's hearty cooperation in matters pertaining to the Naval Reserve Base at Oakland Municipal Airport, was filed.

Communication from D. A. Driggs, Assistant Secretary, American Trust Co., requesting authority to pay to Libby, McNeill & Libby proceeds of coupons on bonds maturing May 15 on \$53,000 par value Swift & Co. and \$3,000 New England Power Co. which are held in escrow for faithful performance of lease agreement, was read and authority granted as requested.

Communication from the Port Manager recommending advertising for bids for rental of an Air Compressor to be used in rehabilitation work on Livingston Street Pier for period of six months, was read and resolution later passed authorizing the advertising for bids.

Communication from Captain Clifford Smith, U. S. Army Quartermaster's Department, submitting their form of lease on Hangar No. 1B for one year period starting July 1, 1938, at a rental of \$151.59 per month, was read and after discussion it was the decision of the Board that lease agreement should be made for the fiscal year ending June 30, 1938 at the present rental of \$151.59.

Communication from the Paramino Lumber Co. requesting cancellation or reduction in storage charges on lumber at Ninth Avenue Pier due to unprecedented rainfall during period January, February, and March, 1938, and suggesting that free time be changed from ten days to two weeks and storage thereafter be made five cents instead of ten cents, was read and following discussion the Port Manager was directed to advise Paramino Lumber Co. that no cancellation or reduction in storage charges would be made.

Communication from Mr. Eugene Singer, representing the Star Corrugated Box Co., advising that proposal for locating their proposed Pacific Coast plant at the Outer Harbor appears attractive to them except for labor

troubles which they fear, was read and the Port Manager directed to communicate further with the President of the Star Corrugated Box Co. and endeavor to convince him that the labor situation at Oakland is as favorable under present conditions as elsewhere.

Communication from the Richfield Oil Corporation advising that they are discontinuing their aviation department and are disposing of their equipment at all airports, and requesting that permission be granted for assignment of their concession agreement, which expires on May 31, 1938 to Shell Oil Co. which, by letter filed with the Board, stated they desired to continue serving patrons at the Oakland Municipal Airport through the facilities which they were purchasing from the Richfield Oil Corporation, was read. Mr. E. A. Majors, Oakland Depot Manager of the Shell Oil Company, and Mr. R. C. Moseley, Branch Manager of the Richfield Oil Corporation, together with Mr. Corey Brayton, their representative at the Oakland Municipal Airport, met with the Board. Mr. Majors stated that with the development of higher powered aviation motors, the demand for higher Octane gasoline necessitates the handling and dispensing of more grades of gasoline at the Airport, and to this end the Shell Oil Co. plans on using the Richfield facilities when purchased in providing better service to Airport patrons. Following the discussion, in which it was shown that, aside from Richfield Oil Corporation, facilities for fueling airplanes are provided by the Standard, Shell, Texas, and Associated Oil companies, a resolution was passed permitting Richfield Oil Corporation to assign to Shell Oil Company its airport concession agreement and to transfer its equipment at the Airport to Shell Oil Company.

Communication from the Oakland Sea Food Grotto requesting permission to erect a sign at the foot of Broadway directing patrons to Fisherman's Pier at the foot of Franklin Street, was read and request granted.

Communication from the Atchison, Topeka & Santa Fe Railway returning papers covering settlement of low tideline, duly executed and acknowledged by the company, was read and resolution later passed accepting agreement with the Atchison, Topeka & Santa Fe Railway and the California, Arizona and Santa Fe Railway Company, executed pursuant to Port Ordinance No. 282.

At this time Mr. Fisher was excused.

Communication from Thomas H. Moore, Assistant Traffic Manager, requesting leave of absence for twenty-seven days commencing May 4, 1938, on account of illness, together with physician's certificate, was read and resolution later passed granting leave of absence as requested with three quarters pay.

Communication from the Post Enquirer requesting the placing of a Port advertisement in the Aviation Section of its May 27th edition, was read and the

Port Manager was directed to advise that no advertising space would be taken in this issue.

The Port Attorney reported that the Pacific Steel & Wire Co. had advised that it will waive claim for refund of taxes paid for year 1936-1937 provided the taxes for 1937-1938 were refunded, and that the City and County officials had indicated that this would be done. Statement of final accounting of collections and disbursements prepared by the Pacific Steel & Wire Co. was presented to the Board for the period subsequent to June 30, 1936, in accordance with agreements setting up escrow account, which statement indicated a balance due the Board of \$20,336.80. The Board directed the Port Manager to check the statement and report thereon at its next meeting, and to arrange, together with the Port Attorney, for the final settlement of the escrow account.

Captain Wm. Fillmore of Fillmore Flying Service met with the Board and requested that Section 76 of Port Ordinance No. 80, which provides that no private automobiles or trucks be serviced at gasoline pits, be amended to permit the servicing of automobiles. He stated that in the past he had serviced his and Captain Henry's cars at the pits and had been cited by the Airport Superintendent for violation of the Ordinance. It was explained to Captain Fillmore that the section in question was a safety measure to protect the public and had been approved by the Fire Underwriters, and Fire Marshal, and had been in effect since 1930; further, it was stated that the gas pumped from the pits was not subject to State Highway Tax and if private automobiles were allowed to be serviced at all of the pits at the Airport, there would be a great deal of danger as the automobiles would be required to be on the airplane operating areas. The Board advised Captain Fillmore that for these reasons it did not appear logical that the Ordinance should be amended. Captain Fillmore stated that he had paid his rent for April, which was in arrears, and that he would pay his May rent at an early date. The Board urged Captain Fillmore to keep his account fully paid up.

President McElroy reported that he attended and spoke on behalf of the Board at the Oakland League of Women Voters on Thursday, May 12, and that Mayor McCracken was also present and extended greetings. It was further reported that twenty-five women made up the party which visited all of the Port's facilities, and that a great deal of interest was shown throughout the trip.

In respect to the Oakland Naval Supply Base matter, copy of letter from Wm. S. Culbertson, Oakland Chamber of Commerce representative in Washington, advising that Congressman Vinson had promised to support the Tolan Bill at the next session of Congress, and that it was presumed that the

present adverse attitude of the Naval Affairs Committee was prompted by the fear of injury to Congressman McGrath's candidacy at the coming election in his district. It was further indicated by Mr. Culbertson that the sub-committee would visit and inspect the Oakland site at the time of inspecting other naval projects on the Pacific Coast.

Copy of wire sent by the Board to Senator McAdoo requesting him to present his Naval Supply Base bill to the Senate, was filed.

From press reports it was noted that the U. S. Senate administration leaders had forced through an amendment to the McCarron Aviation Bill giving President Roosevelt unlimited regulating powers over the commercial aviation industry, and power, not only to appoint the members of the Aviation Commission, but also to select its Chairman and Vice-Chairman, and unhampered authority to discharge any and all of its members at will.

The Port Manager reported that San Jose is again considering embarking on its port project, the government having offered a grant of \$810,000, provided \$1,290,000 could be raised in San Jose to insure the Government's participation.

It was further reported that Sacramento is endeavoring to secure Federal approval to a thirty-foot channel.

The Port Attorney advised that he had completed and filed with the Maritime Commission on May 15 his brief on the Port of Stockton-European rate case, and further, that other parties in the case have secured a ten-day extension of time in which to file their briefs.

The Port Attorney reported that the Federal Maritime Commission hearing on Seattle rate matters had been abandoned.

The Port Attorney reported that the Interstate Commerce Commission had advised of formal admission of himself and assistant to practice before it.

In respect to the Pacific International Air Races to be held at the Oakland Municipal Airport on May 28 to 30 inclusive, the Port Attorney reported that the license agreement, which has been fully executed, was being held by him awaiting the payment of the Board's claim for rock used in the preparation of the roadway leading from Maitland Drive to the parking area in rear of the grandstands which the Race Association had agreed to pay. He further stated that the Race Association would not be in a position to obtain a bond until it had the license agreement in its hands. In this connection, the Port Manager stated that a letter assurance of the Race Association was on file with the Board, and that he was of the opinion that

the bond was more essential than the holding of the agreement to assure payment of the rock to be used in the roadway. After further discussion, the Port Attorney was directed to forward the agreement so that the bond could be procured.

The Port Manager reported that the work of preparing the Airport field for the races was proceeding satisfactorily, and that the Air Race Association was constructing its fences, grandstands, and other necessary structures. He further stated that Major Bedinger, U. S. Department of Commerce Inspector, has made additional rulings affecting the safety of the races, and that these new rulings will require additional leveling and rolling of the field area, which is being undertaken.

The Port Manager reported that the Port of Tacoma reopened under ten-day truce to permit jurisdictional fight to be arbitrated by National Labor Board.

The Port Manager reported as follows on the status of certain funds as of May 13, 1938:

<u>Harbor Maintenance and Improvement Fund (No. 226)</u>	
Unencumbered Cash Balance as of May 13, 1938.....	\$ 51,835.41
Set up in Special Funds 220 and 222.....	95,000.00
Total Unencumbered Cash in all revenue funds	
as of May 13, 1938....	146,835.41
Total Unencumbered Cash in all revenue funds	
as of April 30, 1938....	128,109.42
<u>1925 Oakland Harbor Improvement Fund (No. 567)</u>	
Cash Balance as of May 13, 1938 .....	224,869.15

Opinion of the Port Attorney, advising that the Board is without authority to contribute \$250.00 to Pettengill Committee to oppose legislation now before the United States Senate for debate, was read and the Port Manager directed to advise the Pettengill Committee that no contribution could be made to its defense fund.

The report of the Auditing Committee on claims and demands was adopted after elimination of Clyde Sunderland Claim No. 226-6439, on which action was deferred for further investigation.

The following resolution was introduced and passed by the following vote:

AYES:	Commissioners Colbourn, Pardee, and President McElroy	-3-
NOES:	None	
ABSENT:	Commissioner Fisher	-1-
NOT VOTING:	Commissioner Roland	-1-

"RESOLUTION NO. 4648

RESOLUTION APPROVING AND ALLOWING  
CERTAIN CLAIMS AND DEMANDS.

RESOLVED: That the following claims and demands, having been approved by the Auditing Committee, be and the same are hereby approved and allowed by the Board of Port Commissioners and the Auditor is authorized to draw

his warrant for the same out of the proper Fund:

HARBOR MAINTENANCE AND IMPROVEMENT FUND:

Air Reduction Sales Co.	\$ 14.95
American Auto Metal Works	2.75
The American Rubber Manufacturing Co.	39.33
Baker, Hamilton & Pacific Company	7.37
Bigge Drayage Company	8.75
Blake, Moffitt & Towne	8.42
Burroughs Adding Machine Company	4.02
California Pottery Company	9.24
City of Oakland, Street Department	14.40
Charles W. Carter Co.	4.25
L. M. Clough Co.	126.75
Cochran & Celli	21.82
Columbia Wood and Metal Preservative Co.	48.15
Coos Bay Lumber Company	6.57
The Cotton Trade Journal	3.50
Henry Cowell Lime and Cement Co.	402.26
Dempsey & Sanders	20.54
Dieterich-Post Company	8.97
Dock Checkers Employers Association	313.96
East Bay Blue Print & Supply Co.	95.11
East Bay Glass Company	5.21
Electric Supply Co.	4.12
The Electric Corporation	41.87
Fishstrom Staple Co.	14.53
Forman Motor Company	4.14
General Petroleum Corporation of California	22.66
Gilson Electrical Supply Co.	29.84
The A. J. Glesener Co.	9.59
Graybar Electric Company, Inc.	.80
Greenwood Printers Ltd.	34.25
H. & M. C. Co.	13.39
Charles R. Hadley Company	2.16
Haiden Auto Parts, Ltd.	41.52
Heafey-Moore Co.	12.35
Hogan Lumber Company	28.26
Industrial Equipment Company	365.00
Industrial Home for the Adult Blind	38.32
Ingersoll-Rand Company	8.59
Inland Manufacturing Company	4.55
International Business Machines Corporation	15.50
The Internation Press	19.57
Jackson's	26.28
Key Route Coal Yard	135.19
Kling-Dawers Stationery Co., Inc.	3.78
A. P. Koetitz	180.00
Geo. A. Kreplin Co.	2.38
Laher Spring and Tire Service	5.54
Laird's Stationery	10.81
C. W. Marwedel	7.86
Maxwell Wholesale Hardware Company	3.36
Melrose Lumber & Supply Co.	57.35
Albert C. Moe	33.69
National Lead Company	26.60
Oakland Battery Co.	4.78
Oakland Fire Extinguisher Company	31.16
Oakland Plumbing Supply Co.	11.54
The Oakland Traffic Club	117.00
Pacific Coast Aggregates, Inc.	59.43
The Pacific Lumber Company	11.16
Pacific Shipper	68.00
Pacific Tool and Supply Company	10.56
Peterson Tractor & Equipment Co.	9.51
Joseph Pierotti & Co.	.82
Printing Plates Incorporated	47.85
Remington Rand Inc.	21.63
Rhodes & Jamieson, Ltd.	49.92
Richfield Oil Corporation	12.89
Rio Grande Oil, Inc.	187.46
Robbins & Myers Inc.	2.15
The Ross Carrier Company	10.82
San Francisco Bay Carloading Conference	5.00
San Francisco Commercial Club	24.14
Sentinel Sanitary Supply Company	4.04

Shell Oil Company	\$ 22.23
Shields, Harper & Co.	.50
Shipping Register	90.00
B. Simon Hardware Co.	23.36
Smith Brothers	43.86
Smith Lumber Company	76.92
Sterling Press	9.34
Superintendent of Documents	10.00
Tide Water Associated Oil Company	11.36
Transit Concrete	84.93
The Tribune Press	175.00
Victor Equipment Company	4.12
Western Transportation	40.00
Wickwire Spencer Steel Company	45.97
Markell C. Baer	25.09
Harold Wiltermood	26.85
	<u>\$3,750.06</u>

The following resolutions were introduced and passed by the following vote:

AYES: Commissioners Colbourn, Pardee, Roland, and President  
McElroy -4-

NOES: None

ABSENT: Commissioner Fisher -1-

"RESOLUTION NO. 4649

RESOLUTION PERMITTING RICHFIELD OIL CORPORATION TO ASSIGN TO SHELL OIL COMPANY ITS GASOLINE AND OIL CONCESSION AND TO TRANSFER CERTAIN PROPERTY AND FIXTURES.

BE IT RESOLVED that consent is hereby given to Richfield Oil Corporation to assign to Shell Oil Company the oil and gasoline concession at Oakland Municipal Airport granted by this Board under agreement dated January 1, 1933 with William C. McDuffie, as Trustee for Richfield Oil Company of California, as said agreement has been extended and modified from time to time, and to sell and transfer to the same Company the property and fixtures installed by it or its predecessors under and by virtue of such concession, subject, however, to all the terms and conditions set forth in said agreement as extended and modified."

"RESOLUTION NO. 4650

RESOLUTION AUTHORIZING AGREEMENT WITH WESTERN VEGETABLE OILS COMPANY, INCORPORATED.

BE IT RESOLVED that the President of this Board be and he is hereby authorized to enter into an agreement with Western Vegetable Oils Company, Incorporated, a California corporation, as Licensee, providing for the occupancy by licensee for a period of one year commencing November 1, 1937, of an area of 1.6 acres at the intersection of Terminal and Petroleum Streets, Outer Harbor Terminal area, at a monthly rental of \$327, and that such agreement shall be upon the general form of license agreement customarily used by this Board."

"RESOLUTION NO. 4651

RESOLUTION ACCEPTING AGREEMENT WITH THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY, AND ANOTHER, AND DIRECTING RECORDATION THEREOF.

BE IT RESOLVED that the agreement between the City of Oakland, acting by and through its Board of Port Commissioners, and The Atchison, Topeka and Santa Fe Railway Company and The California, Arizona and Santa Fe Railway Company, executed pursuant to Port Ordinance No. 282, finally adopted by this Board on February 21, 1938, be and the same is hereby accepted, and this Board hereby consents to and authorizes the recordation of said agreement in the office of the County Recorder of the County of Alameda, State of California, together with a certified

copy of said Port Ordinance and of this resolution."

"RESOLUTION NO. 4652

RESOLUTION AUTHORIZING AGREEMENT  
WITH TWA RELATIVE TO RADIO EQUIPMENT.

BE IT RESOLVED that the Port Manager be and he is hereby authorized to enter into an agreement with Transcontinental & Western Air, Inc., providing for the hiring from said company of certain radio equipment for use at Oakland Municipal Airport for a term of two years commencing April 1, 1938, at an annual rental of \$1.00 per calendar year, and that such agreement shall contain the provisions set forth in the form submitted to this Board."

"RESOLUTION NO. 4653

RESOLUTION AUTHORIZING SUBSTITUTION OF  
BOND HELD IN TRUST TO SECURE LEASE OF  
LIBBY, McNEILL & LIBBY.

BE IT RESOLVED that the request of Libby, McNeill & Libby to substitute one Cudahy Packing Company First Mortgage 3 3/4 per cent bond due 1955 in the place and stead of one Swift & Company Bond No. 26238 now held in trust by American Trust Company to secure the provisions of a lease of said Libby, McNeill & Libby with the City of Oakland under date of April 30th, 1929, be and the same is hereby granted, and said American Trust Company is hereby authorized to accept such substitution."

"RESOLUTION NO. 4654

RESOLUTION ADOPTING SPECI-  
FICATIONS FOR RENTAL OF  
AIR COMPRESSOR.

RESOLVED that the specifications and other provisions relative thereto filed with the Board for the rental of an air compressor for six (6) months, for use in the rehabilitation of Livingston Pier, and the manner indicated for the payment therefor be and the same are hereby approved.

BE IT FURTHER RESOLVED that the Secretary be authorized to advertise for five consecutive days in the official newspaper for sealed proposals for the work contemplated and supplies to be furnished, as required by law."

"RESOLUTION NO. 4655

RESOLUTION APPROVING APPOINT-  
MENT OF IRA V. BEAULIEU TO  
POSITION OF POWER EQUIPMENT  
OPERATOR OR MECHANIC OR LABORER.

RESOLVED that the regular appointment of Ira V. Beaulieu, to the position of Power Equipment Operator or Mechanic or Laborer, in accordance with Resolution No. 4643, is hereby approved by this Board, said appointment to be effective as of May 11th, 1938, at noon."

"RESOLUTION NO. 4656

RESOLUTION RATIFYING, CONFIRMING  
AND APPROVING REGULAR APPOINTMENT  
OF FRANCIS S. BOYER TO POSITION OF  
PORT CONSTRUCTION INSPECTOR.

RESOLVED that the action of the Port Manager in making the following appointment is hereby ratified, confirmed and approved by this Board:

Francis S. Boyer, Port Construction Inspector,  
(Port Ordinance No. 222, Section 4.11), \$7.00  
per day - appointment effective at noon on  
May 9, 1938."

"RESOLUTION NO. 4657

RESOLUTION GRANTING LEAVE OF  
ABSENCE WITH PAY TO THOMAS H.  
MOORE, ASSISTANT TRAFFIC MANAGER.

RESOLVED that Thomas H. Moore, Assistant Traffic Manager (Port Ordinance No. 222, Section 7.01), is hereby granted a leave of absence on account of illness, with three-fourths pay, said leave to be for a period of 27 days commencing May 4, 1938."

"RESOLUTION NO. 4658

RESOLUTION EXPRESSING OPPOSITION TO THE  
SO-CALLED PETTENGILL BILL AND REAFFIRMING  
SENTIMENTS EXPRESSED IN PORT RESOLUTION  
NO. 3530.

Whereas, this Board, on January 20, 1936, passed Resolution No. 3530 expressing opposition to House Bill No. 3263 (by Mr. Pettengill), which was then pending before the Congress of the United States, and any other bills of a similar nature, said bill being designed to repeal the long and short haul clause of the Interstate Commerce Act and

Whereas, the Senate of the United States now has before it for consideration similar bill by Mr. Pettengill, numbered H. R. 1668, the passage of which will seriously interfere with the long established economic conditions in this nation, destroy a substantial portion of the coastwise and intercoastal steamship trade, bring financial loss to many ports and dependent industries, and serve no useful purpose, now therefore,

BE IT RESOLVED that this Board hereby expresses its opposition to such bill, reaffirming the sentiments expressed in its former resolution, and respectfully urges that the Senate of the United States do not pass such bill.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Honorable Hiram W. Johnson and William Gibbs McAdoo, Senators of the State of California, to Honorable Burton K. Wheeler, Chairman of the Senate Committee on Interstate Commerce, and to Honorable John Nance Garner, Vice-President of the United States and President of the Senate."

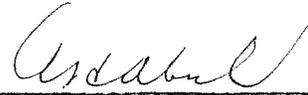
Port Ordinance No. 283, being "AN ORDINANCE AMENDING CERTAIN SECTIONS OF PORT ORDINANCE NO. 222", and Port Ordinance No. 284, being "AN ORDINANCE AMENDING PORT ORDINANCE NO. 31, RELATING TO AIRCRAFT USED IN CARRYING PASSENGERS FOR HIRE", having been duly introduced, read and published, were finally adopted by the following vote:

AYES:	Commissioners Colbourn, Fardee, Roland, and President McElroy	-4-
NOES:	None	
ABSENT:	Commissioner Fisher	-1-

President McElroy stated that he had received a letter from Mr. Tom Crowley, under date of May 13, confirming his verbal offer made to the Board at its last meeting of \$100 per month for 2.92 acres of waterfront land which his company, The Pacific Dry Dock and Repair Co., has been occupying at the foot of Fourteenth Avenue, Brooklyn Basin. In his letter, which was read, Mr. Crowley presented his reasons for the low rental offered. It was recalled that the Board had informed Mr. Crowley that due to present uncertainties as to location of the East Shore Highway and Embarcadero, it could not entertain a long-term lease, but would be agreeable to a lease on a month to month basis at a rental of \$125.00 per month. The Port Manager stated that without giving any value to improvements, the rental of \$125.00 per month would represent a 6% return on a land value

of \$8750, which was less than that received from other lessees in this area. After further discussion, in which the temporary nature of occupancy due to the uncertainty of highway construction was stressed, it was the consensus of the Board that in order to terminate the matter a final offer of a lease for one year for the 2.92 acre tract, with a ninety-day termination clause, and a rental of \$125.00 per month be made to Mr. Crowley and the Port Manager was directed to transmit the offer.

ADJOURNED.

  
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S E C R E T A R Y

SPECIAL MEETING OF THE BOARD OF PORT COMMISSIONERS  
of the  
PORT OF OAKLAND

Held on Friday, May 20, 1938, at the hour of 12:45 p.m., due notice of such meeting having been given members of the Board.

Commissioners present: Colbourn, Fisher, Roland, and President  
McElroy -4-

Commissioners absent: Pardee -1-

The Port Manager and Port Attorney were also present.

Communication from the Pacific Steel and Wire Company presenting claim and demand for \$1,169.45 as compensation for its services in collecting rentals and otherwise administering properties formerly under lease to it pending litigation, and in keeping with agreement entered into with the Board under date of May 25, 1936, together with communication from the Port Manager advising that the accounts of Pacific Steel and Wire Company had been audited and approved, was filed.

The report of the Auditing Committee on claim and demand of the Pacific Steel and Wire Company, was adopted.

The following resolution was introduced and passed by the following vote:

AYES: Commissioners Colbourn, Fisher, Roland and President  
McElroy -4-

NOES: None

ABSENT: Commissioner Pardee -1-

"RESOLUTION NO. 4659

RESOLUTION ACCEPTING SETTLEMENT OF RENTAL COLLECTIONS  
BY PACIFIC STEEL & WIRE COMPANY, A CORPORATION, PENDING  
LITIGATION, APPROVING AND ALLOWING CERTAIN CLAIMS FILED  
BY SAID CORPORATION AND DIRECTING THEIR PAYMENT.

Whereas, pending the determination of that certain action entitled Board of Port Commissioners of the City of Oakland, et al, vs. Harry G. Williams, as Auditor of the said City, S. F. No. 15623, in the Supreme Court of California, and pursuant to an agreement between the City of Oakland acting through its Board of Port Commissioners and said Pacific

U. I. U.

Steel & Wire Company, et al., dated May 25, 1936, (Port Reso. #3759), the sublessees of Pacific Steel & Wire Company and their subtenants were permitted to remain in possession of the public tideland areas and properties involved in such litigation for a period fixed in said agreement, and said Pacific Steel & Wire Company was authorized to collect the rentals payable by such sublessees and the subtenants of such sublessees, and to be retained in escrow and be ultimately paid to the party who might be entitled thereto; and

Whereas, such litigation was determined by the Supreme Court in favor of the City of Oakland and the period fixed in said agreement expired on September 28, 1937, and said Pacific Steel & Wire Company has tendered to this Board a verified accounting showing that it collected rentals from sublessees and their subtenants in an aggregate amount of \$18,731.25 from July 1, 1936 to September 28, 1937; and in addition thereto the aggregate amount of \$2,825.00 subsequent to said September 28, 1937, making a total amount received of \$21,556.25, and has actually paid for costs of repairs and maintenance of the buildings of said premises the sum of \$101.43 and for fire insurance premiums for the period of July 1, 1936 to August 31, 1937 the sum of \$131.46; and

Whereas, the Port Manager has caused the said items of expenses to be checked against the books of said corporation and has found them to be correct and to be reasonable and fair, and this Board so finding and approving the same, and has also caused the items of rentals so accounted for to be checked against the subleases and underleases and with the respective occupants and also finding them to be correctly set forth; and

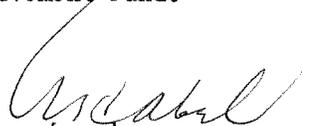
Whereas, said corporation has presented, in addition, its demand for payment to it of compensation for its services in collecting rentals and otherwise administering such properties pending such litigation at the rate of 5% of the sum of \$18,731.25, being the sum so handled by it during the period fixed by said agreement, and it appearing to this Board, and it so finding, that such rate of compensation for the services rendered is reasonable and fair and that it, together with a reimbursement to said corporation of the expenses incurred by it in cost of maintenance of the buildings upon said premises and the cost of insurance from July 1, 1936 to August 31, 1937, should be paid; now, therefore be it

RESOLVED that such accounting be and the same is hereby accepted by this Board; and be it further

RESOLVED that the claim and demand of the said Pacific Steel & Wire Company in the amount of \$1,169.45, covering the items of \$936.56 for administrative charges, \$101.43 for maintenance costs and \$131.46 for insurance costs, all having been approved by the Auditing Committee of this Board, be approved and allowed, and the Auditor of the City be and he is hereby directed to draw his warrant in the said sum of \$1,169.45 upon the City Treasury of the City of Oakland against the Harbor Maintenance and Improvement Fund; and be it further

RESOLVED that the Auditor shall deliver said warrant to Pacific Steel & Wire Company upon receiving from said corporation the sum of \$21,556.25, by cash or a certified or cashier's check which shall be deposited with the City Treasurer to the account of the Board of Port Commissioners in the Harbor Maintenance and Improvement Fund."

ADJOURNED.

  
SECRETARY

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

of the  
PORT OF OAKLAND

Held on Monday, May 23, 1938, at the hour of 3:30 p.m., in the office of the Board, Room 75, Grove Street Pier, due written notice of such meeting having been given members of the Board.

Commissioners present: Colbourn, Fisher, Roland, and President  
McElroy -4-

Commissioners absent: Fardee -1-

The Port Manager, Port Attorney, and Assistant Chief Engineer were also present.

The minutes of the regular meeting of May 16, 1938, and special meeting of May 20, 1938, were approved, as read, and adopted.

Communication from the Treasury Department, U. S. Coast Guard, advising that Coast Guard vessels will continue berthing at the Municipal Terminals for fiscal year beginning July 1, 1938, and agreeing to pay \$1350.00 for berthing space, was read and berthing arrangements, as made by the Port Manager, approved.

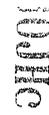
Copy of President McElroy's letter to Mr. Tom Crowley offering rental of 2.92 acres of waterfront at the foot of Fourteenth Avenue for period of one year, with ninety-day cancellation clause, at \$125.00 per month, was filed.

Communication from the Bendix Radio Corporation advising that the first of its instrument landing transmitters, which is now undergoing final testing, will be installed by several of its engineers at the Oakland Municipal Airport early in June, was filed. It was recalled that this is the perfected instrument which was developed at the Oakland Municipal Airport during 1937, and by which more than 7000 blind landings were successfully made.

Communication from Rear Admiral A. J. Hepburn, Commandant Twelfth Naval District, expressing appreciation of Board's letter of regret on behalf of the late Captain Walter H. Allen, was filed.

Communication from Congressman John H. Tolan, advising that the House Judiciary Committee reported out Hobbs Amendment to Nye Bill instructing Attorney General to bring suit for oil in submerged lands against California, was filed. The Port Attorney stated that a Court determination of the issue as proposed by the Hobbs Amendment to the Nye Bill would clarify the entire tideland issue.

Copy of telegram from Congressman John H. Tolan to Oakland Chamber of Commerce advising that Chairman Vinson of the House Naval Affairs Committee has



promised to include the Oakland Naval Supply Depot item in the Works Naval Bill this session, was filed.

Communication from R. W. Robertson, Secretary of the City of Oakland Recreation Department, requesting the Board's consideration of arranging for use of Port area along the North Arm Channel serving Lake Merritt between the Western Pacific right-of-way and Southern Pacific electric tracks for City Base Ball Diamond, was read. It was recalled that the Board had, in the past, transferred considerable property in the Port area to other city departments and was now permitting the Recreation Department to occupy, under license agreement, an area between Seventh and Eighth Streets, adjacent to the Lake Merritt Canal for recreational purposes. After further discussion, the Port Manager was directed to advise the Recreation Department that its request for the area would not be granted.

Communication from H. L. Whiffen, Port Engineering Clerk, requesting sixteen days leave of absence commencing May 16, on account of sickness, together with physician's certificate, was read and resolution later passed granting sick leave as requested with three quarters pay in accordance with Civil Service rules.

Communication from the Atchison, Topeka & Santa Fe Railway acknowledging receipt of executed agreement settling low tide line, which agreement was recorded May 17, 1938, was filed.

Port Manager's Certificate of Completion of contract of American Concrete and Steel Pipe Company for furnishing and delivering 700 lineal feet of 30-inch concrete pipe for Dolphin Street drain at the Outer Harbor Terminal, was filed.

Mr. E. B. Bumstead, Realtor, who previously had submitted an offer to sell 120 acres of property located in Alameda and adjoining the Airport on its western boundary, met with the Board and discussed his proposal. The Board advised Mr. Bumstead that it would give serious consideration to his offer and advise him as to its action in the near future.

Mr. G. S. Beach, representing Libby, McNeill & Libby, met with the Board in respect to the matter of reduction in storage charges which accrued during the last waterfront strike and which had been discussed with it at a previous meeting. Mr. Beach stated that before presenting the Board's offer of two-thirds reduction in the charges to Mr. Gellerson, General Manager of Libby, McNeill & Libby, he felt that he desired to ascertain whether the Board would consider a further reduction from two-thirds to three-quarters of the charges, inasmuch as Mr. Gellerson had stated to him that he felt that

there should be little or no charge made for the storage of the goods which were held up at the terminal during the waterfront strike. President McElroy advised Mr. Beach that in his opinion the Board had been very liberal in offering to make a two-third reduction in the charges. It was recalled that the existing lease with Libby, McNeill & Libby would expire in 1939, and the Board requested that, if possible, Mr. Gellerson meet with it and discuss this matter and other matters pertaining to their lease. Mr. Beach was requested to extend such invitation to Mr. Gellerson, and was advised that the Board would give additional consideration to his last request and advise him as to its decision.

In respect to the Stockton European rate case, the Port Attorney reported that defendant steamship lines, San Francisco, Alameda, Chambers of Commerce, private terminals and San Francisco Harbor Board had filed a joint brief, which supplements the Port of Oakland brief; that Stockton interests had filed a 152-page brief, which consists mainly of a summarization of the evidence presented by Stockton and that steamship companies had requested permission to reprint the Port brief in order to furnish copies to steamship companies and others in the East and Europe. He further reported that Stockton had ordered five copies at its own expense.

The Port Attorney reported that the Minority Committee had filed report on the Pettengill Bill, but with Congress attempting to adjourn on June 4, and filibustering tactics threatened, the bill may not be considered this session.

The Port Attorney reported that the Air Commission Bill was now in conference and that the Senate provisions gave the President the right to discharge members of the Commission at will, whereas the House provided for discharge only on cause; further, that aviation interests apparently are willing to take the bill in any form rather than have a plan for united authority to regulate air industry defeated. The Port Manager further reported that J. L. Vincenz, Fresno Commissioner of Public Works had requested the Port's endorsement of him for Commissionship.

In respect to the submerged tideland title issues, the Port Attorney reported that Long Beach and others had filed further briefs in the Supreme Court to answer points advanced by the Attorney General and that the House Judiciary Committee had reported out bill to require the Attorney General to institute actions to establish title claimed by the Federal Government, but modified the bill to limit claims against California; further, that Congressman Tolan had filed a minority report, and the Attorney General, Long Beach and other interests were now much aroused, although when the dangers of the bill were called to their attention by the Port last fall, they were disinterested.

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The Port Manager reported that the Senate Appropriation Committee provided that Public Works Administration funds shall not be available to cities where projects may be in competition with private utilities, and that this may interfere with Port projects; further, that letters had been sent to Senators and others urging that protection be given municipal ports.

In respect to the Air Race meet to be held at the Oakland Municipal Airport on May 28, 29 and 30, the Port Attorney reported that many details in proposed insurance policy were objected to and that efforts were being made to secure changes, and that the bond of the International Air Race Association to guarantee performance of license agreement was also in difficulty. It was further reported that the work of preparing the Airport field for the races was practically completed and that the Air Race Association was rushing its grandstand and other race course facilities to completion.

The Port Manager further reported that a conference had been held May 23, and another one scheduled for May 25, with the State Police and Chiefs of Police of Oakland, Alameda, and San Leandro, Fire Chiefs, and others in an effort to iron out details of handling traffic to and from the Airport.

The Port Manager reported that the escrow fund of the Pacific Steel & Wire Co. had been closed out and \$21,556.25 deposited with the City Treasurer to the Port's credit.

The Port Attorney reported that Mr. Weinberger, Attorney for the S. T. Johnson Co. had asked for conference on May 24, 1938.

In respect to the purchase of the 40-acre tract adjoining the Oakland Municipal Airport, the Port Attorney reported that Mr. Steinberg, attorney for the Stone interests, had advised that all papers are now in escrow, which will clear the Fontana mortgage off of triangular area which is to be acquired by the City.

In connection with the Hogan tideline matter, the Port Attorney reported that he had had a conference with Mr. T. P. Hogan, Jr., and that Mr. Hogan had indicated that he may avail himself of the invitation to meet with the Board in respect to this matter. The Board indicated that it would be pleased to confer with Mr. Hogan at such time as he desires.

The Port Attorney reported that the Mileage Gasoline suit is to be tried on May 27, 1938 in the U. S. District Court before Judge Roche.

The Port Manager reported that Foreign Trade Week would be observed from May 22 to 28 inclusive, and the program included an inspection trip of the harbor on Friday and a banquet at the Lake Merritt Hotel on Wednesday evening, May 25.



BE IT FURTHER RESOLVED that the demand against the Harbor Maintenance and Improvement Fund for the reimbursement of the Port Revolving Fund in the amount set forth therein, having been approved by the Auditing Committee, is hereby approved and allowed, and the City Auditor be and he is hereby authorized and directed to draw his warrant for the same and make such reimbursement.

HARBOR MAINTENANCE AND IMPROVEMENT FUND:

Port Revolving Fund Pay Rolls - \$ 1,549.65"

"RESOLUTION NO. 4661

RESOLUTION APPROVING AND ALLOWING CERTAIN CLAIMS AND DEMANDS.

RESOLVED: That the following claims and demands, having been approved by the Auditing Committee, be and the same are hereby approved and allowed by the Board of Port Commissioners and the Auditor is authorized to draw his warrant for the same out of the proper Fund:

LEASED WHARF IMPROVEMENT FUND:

Howard Terminal \$ 2,936.38

HARBOR MAINTENANCE AND IMPROVEMENT FUND:

Air Reduction Sales Co.	15.56
American Brass & Copper Co.	10.19
Edward R. Bacon Company	200.00
Baker, Hamilton & Pacific Company	345.53
Blake, Moffitt & Towne	18.78
Bigge Drayage Company	12.00
Geo. R. Borrmann Steel Company	63.50
The Buckeye Ribbon & Carbon Co.	100.94
California Concrete Products Co.	30.87
City of Oakland, Street Department	117.80
Cochran & Celli	830.81
Columbia Wood and Metal Preservative Co.	237.93
Henry Cowell Lime and Cement Co.	20.19
Dieterich-Post Company	24.31
East Bay Glass Company	1.81
The Electric Corporation	1.64
General Electric Supply Corporation	6.80
The A. J. Glesener Co.	7.41
Roderick L. Gould	.75
Haiden Auto Parts, Ltd.	1.01
Hersey Inspection Bureau	7.78
Homelite Corporation	32.67
E. H. Huebbe	25.24
Lee J. Immel	81.25
Independent Carrier Co., Ltd.	48.00
The Inter-City Printing Co.	125.73
International Business Machines Corporation	5.00
Kling-Dawers Stationery Co., Inc.	4.90
A. P. Koetitz	165.00
Laher Spring and Tire Service	6.68
Laird's Stationery	6.06
Libby, McNeill & Libby	7.54
Mackay Radio and Telegraph Company	3.30
Maxwell Wholesale Hardware Company	201.24
Melrose Lumber & Supply Co.	15.71
National Lead Company	9.82
Oakland Association of Insurance Agents	457.92
Oakland Fire Extinguisher Company	24.72
Oakland Plumbing Supply Co.	8.98
Pacific Electric Motor Co.	1.61
The Pacific Telephone and Telegraph Company	228.07
Pacific Tool and Supply Company	7.12
Peterson Tractor & Equipment Co.	67.52
Philadelphia Quartz Company	10.04
Railway Express Agency, Inc.	2.00

Rhodes & Jamieson, Ltd.	\$ 39.56
Richfield Oil Corporation	6.52
Rio Grande Oil, Inc.	232.51
Schirmmacher Co.	3.80
H. G. Scovern & Co.	2.01
Shell Oil Company	19.28
B. Simon Hardware Co.	6.09
Stockton Independent	6.00
Strable Hardwood Company	20.79
Clyde Sunderland	11.08
Sunset Lumber Company	72.03
Tide Water Associated Oil Company	24.64
Underwood Elliott Fisher Company	11.50
Voegtly & White	44.21
E. C. Wenger Company	16.82
West Disinfecting Company	36.71
The Western Union Telegraph Company	62.24
E. K. Wood Lumber Co.	2.50
Zellerbach Paper Company	15.02
M. D. McCarl	14.25
East Bay Municipal Utility District	522.61
Pacific Gas and Electric Company	1,089.87
Lee J. Immel	1,943.32
Port Revolving Fund - Misc.	622.11
Pay Rolls - Administrative Department	2,173.15
"    "    - Airport	860.00
"    "    - Engineering Department	2,170.27
"    "    - Grove and Market Street Piers	1,632.28
"    "    - Maintenance Department	2,808.83
"    "    - Ninth Avenue Pier	577.57
"    "    - Outer Harbor Terminal	4,836.09
"    "    - Traffic Department	1,352.18
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	\$27,773.95 "

"RESOLUTION NO. 4662

RESOLUTION RATIFYING, CONFIRMING  
AND APPROVING CERTAIN REGULAR  
APPOINTMENTS.

RESOLVED that the action of the Port Manager in making the following regular appointments is hereby ratified, confirmed and approved by this Board:

Van Buren Anglin, Truck Driver or Blader Operator or Laborer, (Port Ordinance No. 222, Section 5.04), at a. \$6.50, b. \$6.00 and c. \$5.50 per day, respectively; appointment effective May 12, 1938.

Elmer J. Sudmeier, Power Equipment Operator or Mechanic or Laborer, in accordance with Resolution No. 4643; appointment effective May 17, 1938."

"RESOLUTION NO. 4663

RESOLUTION GRANTING LEAVE  
OF ABSENCE WITH PAY TO HENRY  
L. WHIFFEN, PORT ENGINEERING  
CLERK.

RESOLVED that Henry L. Whiffen, Port Engineering Clerk, (Port Ordinance No. 222, Section 4.15), is hereby granted a leave of absence on account of illness, said leave to be for 16 days commencing May 16, 1938, with compensation at the rate of 75% of the salary payable such employe, as provided by the rules of the Civil Service Board."

"RESOLUTION NO. 4664

RESOLUTION ACCEPTING CONTRACT  
WITH AMERICAN CONCRETE & STEEL  
PIPE CO., A CORPORATION.

BE IT RESOLVED that the contract with American Concrete & Steel Pipe Co., a corporation, for the furnishing and delivering of concrete pipe to Outer Harbor Terminal, having been satisfactorily completed, be and the same is hereby accepted."

"RESOLUTION NO. 4665

RESOLUTION AUTHORIZING LICENSE AGREEMENT  
WITH WEST E. MOREAU.

BE IT RESOLVED that the President of this Board be and he is hereby authorized to enter into an agreement with West E. Moreau as Licensee, providing for the occupancy by Licensee, on a month to month basis, of 13,779 square feet of hangar space and 768 square feet of office and shop space in Hangar No. 4 at Oakland Municipal Airport, at a monthly rental of \$229.73, and that such agreement shall be upon the form of License Agreement customarily used by this Board for airport purposes."

"RESOLUTION NO. 4666

RESOLUTION AUTHORIZING FILING OF  
ACTION AGAINST JACK AVERY AND  
HOWARD V. TAYLOR.

BE IT RESOLVED that the Port Attorney be and he is hereby authorized to file an action against Jack Avery and Howard V. Taylor, and such other persons as may be proper parties, for the purpose of recovering damages accruing to the Port by reason of a collision between certain automobiles with the fence and electrolier at Oakland Municipal Airport at the intersection of Maitland Drive and Earhart Road on April 19, 1938, and to take such steps in said action as to him may seem proper or expedient."

"RESOLUTION NO. 4667

RESOLUTION APPROVING FORM OF BOND  
SUBMITTED BY INTERNATIONAL AIR RACE  
ASSOCIATION AND PROVIDING FOR  
ACCEPTANCE THEREOF.

BE IT RESOLVED that the form of bond submitted by International Air Race Association of America, Licensee, under that certain agreement with the Board dated May 10, 1938, conditioned upon the faithful performance by Licensee of the provisions of said agreement, except as to paragraphs 15 and 16 thereof which are covered by other insurance, with American Surety Company of New York, as surety, be and the same is hereby approved; and be it further

RESOLVED that said bond be accepted when and if executed by said Licensee as principal and said American Surety Company of New York as surety."

Pursuant to Resolution No. 4635 and advertising for five consecutive days in the city's official newspaper, bids for the construction of Pavement for Extension to Ninth Avenue Pier were received between the hours of 3:30 and 4:30 p.m. At the hour of 4:30 p.m., the following bids, being all the bids received, were publicly opened:

BIDS FOR PAVING FOR EXTENSION TO NINTH AVENUE PIER, PWA DOCKET NO.  
1629-DS, CONTRACT NO. 5.

ITEM A	Independent Construction Co., Ltd.		W. H. LARSEN		LEE J. IMMEL		RANSOME COMPANY	
	Per	Ton Total	Per	Ton Total	Per	Ton Total	Per	Ton Total
Preparation of base Lump Sum	-0-	\$600	-0-	\$350	-0-	\$620	-0-	\$700
<u>ITEM B</u> Asphaltic Binder 775 tons	\$4.30		\$4.25		\$4.85		\$4.50	
<u>ITEM C</u> Asphaltic Surface 280 tons	4.65		4.75		5.25		4.85	
<u>ITEM D</u> Macadam Rock 620 tons	2.30		2.50		2.65		2.15	

ITEM E	INDEPENDENT CONSTRUCTION			
	CO., LTD.	W.H. LARSEN	LEE J. IMMEL	RANSOME COMPANY
Screenings	Per Ton Total	Per. Ton. Total	Per Ton Total	Per Ton Total
120 tons*	*****\$2.50	\$3.80	\$2.40	\$2.60
ITEM F				
Birdseye Screenings				
70 tons	2.95	4.00	2.75	3.00
ITEM G				
Asphaltic Road Oil				
32 tons	16.00	14.00	15.50	17.50
ITEM H				
Asphaltic Emulsion				
15 tons	18.00	17.00	18.50	20.00
TOTAL BID	\$7,949	\$7,962.75	\$8,497.75	\$8,415.50
CERTIFIED CHECKS	800.00	800.00	850.00	850.00

These bids were referred to the Port Attorney as to legality and the Port Manager for recommendation as to acceptance of the bids after obtaining approval of the Public Works Administration in respect to its regulations.

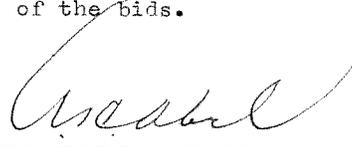
Pursuant to Resolution No. 4654 and advertising for five consecutive days in the city's official newspaper, bids for Rental of Air Compressor were received between the hours of 3:30 and 4:30 p.m. At the hour of 4:30 p.m., the following bids, being all the bids received, were publicly opened:

BIDS FOR FURNISHING, ON A RENTAL BASIS, FOR A SIX MONTHES' PERIOD, MORE OR LESS, ONE AIR COMPRESSOR.

BIDDER	RENT PER MONTH	CERTIFIED CHECK
Machinery & Drill Steel Company, Inc.	NO BID	
California Equipment Company	\$225.00	\$150.00
Spears-Wells Machinery Co.	475.00	150.00
Sam Bates Company	192.75	150.00
(The Rix Company, Inc.) W.H.Cowen	218.00	150.00
Western Machinery Company	247.00	150.00
Industrial Equipment Company	285.00	150.00
Knox-Hale Machinery Co.	325.00	150.00

These bids were referred to the Port attorney as to legality and the Port Manager for recommendation as to acceptance of the bids.

ADJOURNED.

  
 SECRETARY

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

of the  
PORT OF OAKLAND

Held on Tuesday, May 31, 1938, at the hour of 3:30 p.m., in the office of the Board, Room 75, Grove Street Pier, due written notice of such meeting having been given members of the Board.

Commissioners present: Fisher, Roland, and President McElroy -3-

Commissioners absent: Colbourn and Pardee -2-

The Port Manager, Port Attorney, and Assistant Chief Engineer were also present.

The minutes of the regular meeting of May 23, 1938 were read, approved, and adopted.

Communication from the Pacific Gas & Electric Co., requesting permission to construct and maintain a manhole and underground duct line across Port property at the intersection of Twenty-second and Maritime streets, was read. The Port Manager stated that he could see no objection to the granting of its request, and the Board directed that a resolution granting revocable permit for the manhole and underground duct be submitted at its next meeting for action.

Communication from Congressman John W. Tolan, advising that the inclusion of the Oakland Naval Supply Depot item in the Public Works Naval Bill is now in the hands of Congressman Vinson and that he, as well as the Naval officials, is strongly insisting on inclusion of the project, was filed.

Copy of Board's wire sent to the California delegation, Congressman Vinson and Senator Walsh urging the passage of the Navy Bill with Oakland item during this session of Congress, was filed.

Communication from W. S. Culbertson, Washington representative of the Oakland Chamber of Commerce, advising as to present status of Oakland Supply Depot matter, as well as transfer of Bureau of Air Commerce personnel, was filed.

Copy of wire from Vallejo Chamber of Commerce to San Rafael Chamber of Commerce urging that it withdraw its support for the passage of the Oakland Naval Supply Base legislation, was filed.

Communications from Senators Wm. G. McAdoo and Burton K. Wheeler acknowledging the Board's letter urging the defeat of the Pettengill Bill, were filed.

Communication from Denis Mulligan, Director, Bureau of Air Commerce, Department of Commerce, requesting renewal of lease agreement for

occupancy of Rooms 11 to 16 in the Administration Building, together with one room in the Airway Traffic Control Tower, for fiscal year beginning July 1, 1938, was read and the Port Manager directed to advise the Bureau of Air Commerce that its request would be granted.

Communication from A. O. Willoughby, Assistant Superintendent, Post Office Department, expressing appreciation for the splendid cooperation extended by the Airport Superintendent and staff in handling the large amount of mail passing through the Airport during Air Mail Week, was filed.

Communication from Congressman John H. Tolan, enclosing majority and minority reports on Senate Resolution No. 208, in respect to title of all submerged tidelands, was filed.

Communication from the Paramino Lumber Co. commenting on the Board's decision not to allow a reduction in storage charges on lumber handled at the Ninth Avenue Terminal during the period of heavy storms, but advising it will pay the bills as rendered, was filed.

Copy of City Manager's report on affairs of the City for the month of April, 1938, was filed.

Communication from Congressman Tolan, in response to the Port Manager's request, advising that he is opposing the passage of bill which will eliminate expenditure of Public Works Administration funds for making harbor improvements which will be operated in competition with private terminals, was filed.

Communication from Congressman Tolan reaffirming his determination to defeat S. J. Resolution No. 208, copies of which were furnished Board members, which seeks to establish the Federal Government's claim to hold the State's oil deposits, was filed. The Port Attorney advised that the House Judiciary Committee had filed substitute bill which eliminates claims of title to all submerged tidelands, setting up merely the Government's right to claim oil deposits.

Communication from the Public Works Administration advising that low bid of the Independent Construction Co., Ltd., in the amount of \$7,949.00 for paving wharf extension of Ninth Avenue Terminal, meets its approval and that contract may now be awarded, was filed.

In respect to the Pacific International Air Races, which were held at the Oakland Municipal Airport on May 28, 29 and 30, it was reported that the estimate of attendance at the races for the three days was about one hundred thousand persons, and that over two hundred airplanes visited the Airport during the three-day duration of the races, one pilot having flown his airplane from Alaska; further, that international publicity had been given to the event

by various news services, and that in the 150-mile race, held on May 30, the present international record held by France had been lowered by Earl Ortman, who traveled the course at an average speed of 265.539 miles per hour and by Colonel Roscoe Turner, who finished the race in second place traveling at an average speed of 265.457 miles per hour; that all San Francisco bay papers had given Oakland Municipal Airport very fine publicity devoting much space to news stories and pictures and that the major picture service and all news reel companies were represented at the Airport; further, that the New York Times had sent its own correspondent, and Aviation Magazine had sent its correspondent and camera man to cover the event.

The Port Manager stated that much credit was due to Mr. Bastow, Assistant Port Manager and staff for the expeditious manner in which the Airport was prepared for the races, and to Airport Superintendent G. M. Turner and staff, for the splendid handling of the operations of the Airport during the congested airplane traffic existing throughout the period of the races. The Port Manager further credited the Oakland Police Department for the splendid manner in which the heavy automobile traffic and the policing of the Airport were handled; also, that the State Police and Alameda Police had cooperated fully with the Oakland Police Department in this work. The Board directed that letters of appreciation be sent to the various departments which cooperated in the success of the carrying out of the race meet.

The Port Attorney reported that the Air Race Association was wholly unable to obtain a faithful performance bond, as required by the agreement with the Association, but that in lieu thereof a check in the amount of \$957.50 for the rock furnished for the construction of a temporary road leading from Maitland Drive to the automobile parking area in rear of the grandstands, was secured, and that this money was now in the hands of the City Treasurer.

Comments were made in respect to the handling of financial matters by the Air Race Association, and it was noted that the sheriff had attached a portion of the funds during the race meet on account of claim made by Paul Thorpe, due to injury received in the collapse of the pylon which was being erected prior to the holding of the races.

It was noted that three fatalities had occurred, one being a steel erector employed by contractor in the erection of the pylon which collapsed, and two race pilots, Mr. Gus Gotch, whose plane crashed into the bay, and Mr. Ralph Johnson, stunt pilot; also, that two additional racing planes crashed, but that the pilots were uninjured. It was reported that

no claims for damages against the Port would likely arise on account of these deaths, inasmuch as a policy of \$300,000, insuring the Air Race Association, was in effect.

Copies of airport liability policy for \$300,000 and property liability insurance for \$50,000, both issued by the Aero Insurance Underwriters, were filed.

The Port Attorney reported that Williamson, Hoge, Sargent & Judson, Los Angeles attorneys, had filed brief in Long Beach state tideland case supporting claim of State that city has a limited use of tidelands.

The Port Attorney reported that the Supreme Court of the United States, reversing "a century of precedent" holds that the New York Port Authority is not an agency of the state and that in any respect its employees, and possibly the agency itself, is subject to Federal taxation; further, that the decision is revolutionary in character and that a further report will be made after it is more fully reviewed.

The Port Attorney reported that the Attorney General had filed briefs in the State Harbor Board case contending that the Harbor Board is not subject to provisions of the Railroad Retirement Act, which requires payments by the State direct.

The Port Attorney reported that the Maritime Commission had filed proposed decision reaffirming San Diego-Oriental cargo case, as was anticipated in our Stockton rate case brief, and that the minimum tonnage was increased from five hundred to eight hundred tons.

The Port Attorney reported that the Hogan Lumber Company had employed the firm of Donahue, Richards and McCarthy to represent it in low tideland litigation.

In respect to the Stockton European rate case, the Port Attorney stated that the Isthmian Steamship Line had filed independent brief in Stockton European rate case and that the Pacific European Conference had ordered a re-print of seventy copies of the Port of Oakland's brief, and that ten additional copies would be forthcoming for the Port's use.

In respect to positions of Cement Gun Nozzleman and Cement Gun Operator, the Port Manager stated that the Civil Service Board now advises that either the positions must be exempted by the City Council or Civil Service examinations be held. After discussion, it was the consensus of the Board that request for the exemption of the positions be not made, and request made of the Civil Service Board to hold examinations for the two positions which are required for a short period only in connection with the rehabilitation of Livingston Street Pier.

The Port Manager reported that the Maritime and Harbor Committee of the Oakland Chamber of Commerce will meet at the Leamington Hotel Wednesday noon, June 1, to discuss proposed Alameda bridge across the Estuary, and that, as a member of the Committee, he would attend the meeting.

The Port Manager reported as follows on the status of certain funds as of May 27, 1938:

<u>Harbor Maintenance and Improvement Fund (No. 226)</u>	
Unencumbered Cash Balance as of May 27, 1938.....	\$ 64,044.09
Set up in Special Funds 220 and 222.....	95,000.00
Total Unencumbered Cash in all revenue funds	
as of May 27, 1938.....	159,044.09
Total Unencumbered Cash in all revenue funds	
as of April 30, 1938.....	128,109.42
<u>1925 Oakland Harbor Improvement Fund (No. 567)</u>	
Cash Balance as of May 27, 1938.....	224,869.15

The report of the Port Manager submitting statistics for the month of April, 1938, was filed.

The report of the Auditing Committee on claims and demands, was adopted.

The following resolutions were introduced and passed by the following vote:

AYES: Commissioners Fisher, Roland, and President McElroy -3-  
 NOES: None  
 ABSENT: Commissioners Colbourn and Pardee -2-

"RESOLUTION NO. 4668

RESOLUTION APPROVING AND ALLOWING CERTAIN CLAIMS AND DEMANDS.

RESOLVED: That the following claims and demands, having been approved by the Auditing Committee, be and the same are hereby approved and allowed by the Board of Port Commissioners and the Auditor is authorized to draw his warrant for the same out of the proper Fund:

HARBOR MAINTENANCE AND IMPROVEMENT FUND:

Fred H. Allen	\$	45.00
American Tractor Equipment Corporation		3.57
Anderson Printing Company		33.48
Art Wood Turning Shop		5.50
Bancroft-Whitney Company		11.64
Blake, Moffitt & Towne		1.54
Baker, Hamilton & Pacific Company		11.55
Geo. R. Borrmann Steel Company		148.76
Bostitch-Western, Inc.		7.21
California Pottery Company		75.07
California Rustproofing Company		16.10
City of Oakland - Street Department		188.55
L. M. Clough Company		987.73
Cochran & Celli		11.02
Henry Cowell Lime and Cement Co.		20.19
Coos Bay Lumber Company		12.62
Frank Day		4.50
East Bay Glass Company		2.41
East Bay Transit Company		5.00
The Electric Corporation		1.17
Dock Checkers Employers Association		93.54
Firestone Auto Supply & Service Stores		54.97
General Electric Supply Corporation		35.33
Goodhue Printing Company		71.59
Greenwood Printers Ltd.		34.25
H. & M. C. Co.		3.61
Hill & Morton, Inc.		838.19

Hogan Lumber Company	\$	101.74
Lee J. Immel		348.00
A. P. Koetitz		175.00
Geo. A. Kreplin Co.		2.27
Laird's Stationery		6.50
The Marine Exchange of the San Francisco Chamber of Commerce		10.00
Maxwell Wholesale Hardware Company		75.07
Melrose Lumber & Supply Co.		94.39
National Lead Company		177.96
Oakland Battery Co.		9.56
Oakland Plumbing Supply Co.		5.46
Oakland Sheet Metal Supply Co.		11.61
Oakland Title Insurance and Guaranty Company		25.00
Oliver Farm Equipment Sales Company		68.21
Pacific Marine Review		100.00
Pacific Pipe Company		15.14
Pacific Tool and Supply Company		8.77
Parris Manufacturing Co.		10.43
Piedmont Lumber & Mill Co.		86.39
Joseph Pierotti & Co.		1.66
Postal Telegraph-Cable Company		.48
Ransome Company		93.22
Rio Grande Oil, Inc.		.96
Rio Grande Oil, Inc.		110.65
E. J. Saake		2.83
Service Heat & Power Company		93.73
Shell Oil Company		30.48
B. Simon Hardware Co.		4.58
Smith Brothers		22.17
Smith Lumber Company		11.88
Philip V. Swenson		5.10
Clyde Sunderland		2.58
Tide Water Associated Oil Company		23.01
Transit Concrete		25.67
The Tribune Publishing Co.		88.37
Underwood Elliott Fisher Company		1.00
United Office Machine Company		12.36
Voegtly & White		54.51
White Investment Company		50.00
Zellerbach Paper Company		12.72
Thos. H. Moore		9.24
American Concrete and Steel Pipe Co.		1,644.30
		<u>\$6,357.09 "</u>

"RESOLUTION NO. 4669

RESOLUTION AWARDING CONTRACT FOR  
PAVEMENT FOR EXTENSION TO NINTH  
AVENUE PIER UNDER P.W.A. DOCKET  
NO. CALIF. 1629-DS, CONTRACT NO. 5.

BE IT RESOLVED by this Board of Port Commissioners, acting for and on behalf of the City of Oakland, that the contract for construction of pavement for extension to Ninth Avenue Pier, Oakland, under P. W. A. Docket No. Calif. 1629-DS be and the same is hereby awarded, pursuant to the bids received after due advertisement as required by law, to Independent Construction Co., Ltd., a corporation, in accordance with the terms of its bid filed with this Board on May 23, 1938, which bid was for the performance of the work at the lump sum and unit price of \$7,949.00, together with payment for any extra work required as provided in the specifications made a part thereof.

BE IT FURTHER RESOLVED that the President of this Board be and he is hereby authorized and directed to enter into a contract with the said bidder on behalf of the City of Oakland and to execute therefor all necessary documents.

BE IT FURTHER RESOLVED that a bond for the faithful performance of the work in the full amount of the contract price, to-wit, \$7,949.00, shall be furnished by said bidder; also said bidder shall furnish a labor and material bond in an amount equal to at least fifty (50) per cent of the said contract price. Said bonds shall be secured from a surety company satisfactory to this Board. The contract and bonds shall be drawn and executed in sextuplicate under the supervision of the Port Attorney.

BE IT FURTHER RESOLVED that the Secretary of this Board shall

forthwith post conspicuously for five days a notice of the award of said contract in the manner and form as prescribed by the City Charter, on the bulletin board near the Council Chamber door at the City Hall.

BE IT FURTHER RESOLVED that the certified check accompanying the accepted bid of Independent Construction Co., Ltd., a corporation, shall be held by the Secretary until the said contract has been duly entered into and executed, and the proper bonds have been approved and filed, and that the certified checks accompanying the other bids for said contract, which other bids are hereby rejected, be promptly returned to the respective bidders."

"RESOLUTION NO. 4670

RESOLUTION AWARDING CONTRACT  
FOR RENTAL OF AIR COMPRESSOR.

BE IT RESOLVED that the contract for the furnishing of one air compressor, on a rental basis, for use in gunniting, sandblasting and other uses, at Livingston Street Pier, Oakland, be and the same is hereby awarded to Sam C. Bates, Jr., doing business under the name of Sam Bates Company, as the lowest responsible bidder, in accordance with the terms of his bid, filed May 23, 1938.

BE IT FURTHER RESOLVED that, pursuant to the specifications, the certified check accompanying said bid shall be held as bond as a guarantee of the faithful performance of this contract. At and upon such performance, said certified check shall be returned to said bidder.

BE IT FURTHER RESOLVED that the other bids received for said contract be and they are hereby rejected and the checks accompanying same shall be returned to the proper persons."

"RESOLUTION NO. 4671

RESOLUTION CREATING CERTAIN  
TEMPORARY POSITIONS.

RESOLVED that the following temporary positions are hereby created:

One Nozzleman or Laborer, at a pay scale of \$1.25 per hour when working as Nozzleman and \$.75 per hour when working as laborer.

One Gun Operator or Laborer, at a pay scale of \$.90 per hour when working as Gun Operator and \$.75 per hour when working as Laborer."

"RESOLUTION NO. 4672

RESOLUTION ADVANCING HAROLD A.  
ROBINSON FROM GRADE "A" TO GRADE  
"B" AS PORT WATCHMAN.

RESOLVED that Harold A. Robinson, now employed as Port Watchman, Grade "A", under Section 8.21 of Port Ordinance No. 222, at a salary of \$120 per month, is hereby advanced to Grade "B" at a salary of \$130 per month under said section, said advancement in salary to be effective June 1, 1938."

"RESOLUTION NO. 4673

RESOLUTION RATIFYING, CONFIRMING  
AND APPROVING CERTAIN REGULAR APPOINTMENTS.

RESOLVED that the action of the Port Manager in making the following regular appointments is hereby ratified, confirmed and approved by this Board:

Dwight F. Kimble, Port Watchman, (Port Ordinance No. 222, Section 8.21), \$120 per month - appointment effective June 1, 1938.

Harold T. King, Dock Lumber Tally Man, (Port Ordinance No. 222, Section 8.12), \$160 per month - appointment effective June 1, 1938.

Frank A. Davis, Extra Port Watchman, (Port Ordinance No. 222, Section 8.211), \$5.00 per day - appointment effective June 1, 1938."

"RESOLUTION NO. 4674

RESOLUTION GRANTING MILITARY  
LEAVE TO ROBERT L. WESTDAHL.

BE IT RESOLVED that Robert L. Westdahl, Dock Clerk, (Port Ordinance #222, Section 8.07) be and he is hereby granted military leave with pay from June 5, 1938 to June 19, 1938, inclusive, for the purpose of attendance upon United States Marine Corps Air Reserve annual maneuvers during such period."

"RESOLUTION NO. 4675

RESOLUTION GRANTING MILITARY  
LEAVE TO EDWARD F. O'BRIEN.

BE IT RESOLVED that Edward F. O'Brien, Port Maintenance Laborer, (Port Ordinance #222, Section 5.03) be and he is hereby granted military leave with pay from July 2, 1938 to July 15, 1938, inclusive, for the purpose of attendance upon the annual cruise of the Sixth Fleet Division, United States Naval Reserve, during such period."

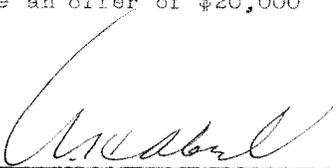
"RESOLUTION NO. 4676

RESOLUTION AUTHORIZING EXECUTION  
OF RENEWAL AGREEMENT WITH UNITED  
STATES OF AMERICA COVERING HANGAR  
SPACE AT OAKLAND MUNICIPAL AIRPORT.

BE IT RESOLVED that the President of this Board is hereby authorized to sign an agreement with the United States of America renewing that certain license covering the west half of Hangar No. 1, designated as Government Lease No. W-59-qm-550, being for the housing of planes and equipment, and shops and offices in connection with the instruction and training of Organized Reserves Air Corps personnel, said extension to be for a period of one year commencing July 1, 1938, upon all the terms and conditions set forth in the original license under date of June 29, 1936, Port Resolutions Nos. 3751 and 4195, said form of renewal to be approved by the Port Attorney."

In respect to the offer of Mr. E. B. Bumstead to sell 120 acres of property in Alameda, which adjoins the Oakland Municipal Airport, for \$35,000, the Board directed the Port Manager to make an offer of \$20,000 to Mr. Bumstead for the property with clear title.

ADJOURNED.

  
SECRETARY

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

of the

PORT OF OAKLAND

Held on Monday, June 6, 1938, at the hour of 4:00 p.m., in the office of the Board, Room 75, Grove Street Pier, due written notice of such meeting having been given members of the Board.

Commissioners present: Colbourn, Fisher, and President McElroy -3-

Commissioners absent: Pardee and Roland -2-

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at  
present  
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The Port Manager, Port Attorney, and Assistant Chief Engineer were also present.

The minutes of the regular meeting of May 31, 1938 were approved, as read, and adopted.

Communication from Arthur S. Dudley, Secretary-Manager, Sacramento Chamber of Commerce and Director of the National Aeronautical Association, advising that he is receiving practically a unanimous concurrence in the idea of organizing a California Aviation Council and thanking the Board for its support; also complimenting Oakland upon the exceptionally fine Air Show staged at the Oakland Municipal Airport on May 28-30 inclusive, was filed.

Copy of communication from Congressman John H. Tolan to Oakland Chamber of Commerce, advising as to present status of Oakland Naval Supply Depot matter, and commenting that passage of bill does not appear likely this session, was filed.

Communication from Congressman Frank R. Havenner acknowledging the Board's letter, urging inclusion of Oakland item in Navy bill, and stating that he had received advice from Chairman Vinson that the letter would be called to the attention of the Committee, was filed.

Communication from the Oakland Foreign Trade and Harbor Club requesting the Board's endorsement of movement sponsored by the Club to have one of the new U. S. Naval Cruisers named "OAKLAND" was read and continued for further consideration.

Communication from Healy-Tibbitts Construction Co. requesting an extension of time of forty days within which to complete the dredging of Clinton Basin, adjacent to the wharf extension, as included in the contract, was read and upon recommendation of the Port Manager, a resolution was later passed extending the contract time subject to approval of the Public Works Administration.

Communication from Howard Terminal requesting permission to do certain maintenance work at the outer end of its Pier No. 2, consisting of the renewal of two corner pile clusters, which have been destroyed and which are required for the berthing of vessels at its terminal, was read. The Port Manager reported that an examination had been made of the structure and it was found that the work, as proposed, was necessary for the stability of the pier and that the work would cost in the neighborhood of \$2,000.00, which would be paid for in accordance with the terms of the Howard Terminal lease. After further consideration, a resolution was later passed granting permission to Howard Terminal for the repairs as requested.

Communication from the Port Manager requesting authority to

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advertise for 20,000 tons of crusher run rock to be used on runways at the Oakland Municipal Airport under Works Progress Administration Project No. 8714, which was approved by the Board by Resolution No. 4605, was read and resolution later passed authorizing the advertisement for bids for the rock as recommended.

Communication from the Port Manager setting forth present status of leases in Brooklyn Basin area and requesting determination of policy in respect to rental payments due for the period July 1, 1936 to date of agreements entered into with the Board, was read. In this connection, the Port Attorney verbally reported that inasmuch as the new leases for occupancy of Brooklyn Basin lands have not yet been entered into, and the determination as to the amount of rental for occupancy of these lands subsequent to July 1, 1936 has not yet been determined, it would be necessary, in order to protect the city's interest pending such time as permanent leases may be awarded upon public bidding, to file legal action prior to June 30, 1938 against each of the former said lessees, or any subtenants thereof who have been occupying the tideland areas and who have not paid compensation to the City for such occupancy, for recovery of a reasonable rental for land. He further stated that in the event that the lessees or occupants of tidelands should enter into a suitable written agreement with the Board extending the time to permit negotiations for lease of the lands to be completed, that the filing of legal action would not be required. Following further discussion, the Board later passed resolution authorizing the Port Attorney to file such legal action as may be required to protect the City's interest.

Communication from Thomas Bros. offering to furnish 1500 revised maps of Metropolitan Oakland with map of San Francisco on reverse side, including views of the Golden Gate Exposition, at a price of \$120.00, was read and the Port Manager authorized to arrange for the purchase of the maps in accordance with the offer submitted.

Communication from H. T. Bean, District Manager, Bureau of Air Commerce, advising that the Department desires to renew its lease on the space occupied in the Administration Building for a one year period commencing July 1, 1938, was read and renewal authorized.

Communication from D. J. Wilson, Acting District Manager, Bureau of Air Commerce, requesting that the contract for furnishing electric service to Airways Teletype Control Station, Oakland Municipal Airport, be renewed for the fiscal year commencing July 1, 1938, was read and request granted.

Communication from Harry L. Brown, Acting Secretary of Agriculture,

confirming advice that they desire to continue lease in warehouse building at Nineteenth Avenue and Livingston Street of twelve to fifteen thousand square feet for use by the Forestry Department at a rental of \$10.00 per thousand square feet, was read and the Port Manager directed to arrange for continuance of occupancy of this space with the Department of Agriculture.

It was announced that Commissioner Roland was departing on June 10 for a trip to Europe and a resolution was later passed granting him leave of absence for a period of three months.

The Port Attorney stated that an analysis of United States Supreme Court decision in New York port case and the University Football Tax case reveals that the Government may directly tax public bodies which are not engaged in essential governmental activities; however, the case inferentially holds that port activities are governmental in character. He further stated that the case holds, in effect, that all public employees, state, county, and city are subject to Federal taxation for past twelve years.

In respect to the Pacific International Air Race meet, the Port Manager stated that the Race Association is not proceeding with the removal of the grandstands, fences, and other race course plant, but that the bleachers are being removed, and the Smith Lumber Company, which apparently owns the planking on the grandstands, has removed this material. The Board directed that a letter be transmitted to the Race Association, with copy to the contractor, demanding that the grandstands and other race course improvements be removed without delay.

Attention of the Board was called to the provision of contract with the Race Association, which specifies that such improvements which remain on the airport for twenty days after the termination of the races shall become the property of the Port.

The Port Manager called attention of the Board to press reports that the Pacific International Air Race Association is laying plans for establishment of Air Races as an annual event, and is endeavoring to interest the Golden Gate International Exposition in sponsoring the 1939 races.

In respect to Congressional Legislation, the Port Attorney reported that press reports indicate that the Pettengill Bill will not receive further consideration at this session; that the Naval Supply Depot bills cannot be finally adopted at this session, but that the Chambers of Commerce of the Pacific Coast had again endorsed the Oakland Depot site.

The Port Attorney further reported that bill setting up Federal Government's claim to oil deposits in submerged lands was strongly opposed

and that the Board of Supervisors had passed resolution opposing the bill; further, that Congress plans to adjourn June 11, but adjournment may be delayed by division over hour and wages bill.

The Port Attorney reported that escrow issues pertaining to Stone and Fontana matters are proceeding slowly but are completed to the extent that airport channel is now freed from mortgage claims of Fontana Estate.

The Port Manager stated that, as previously reported, the Southern Ports of Los Angeles, Long Beach and San Diego are planning to make an advance of ten cents in the toll or wharfage charge on cargo, making the toll twenty-five cents a ton instead of the present fifteen-cent charge, and that Los Angeles now has the matter before its City Council for final approval. The past history of this matter of obtaining an increase in toll charges was reviewed by the Port Manager and Traffic Manager, who was present during the discussion, and it was recalled that the move to increase the toll charge, which would result in an increase in the Board's revenue of not less than \$50,000 per annum, was started by the Port staff when the Association of California Port Authorities was formed last year at a meeting of the various state port authorities at the Board's offices to effect this and other betterments in port practices.

It was further stated that in the event the rates were advanced at the southern ports, it would be impossible to put an increase in effect in the Bay Area without the cooperation of the State Harbor Board in San Francisco. After discussion, it was the consensus of the Board that the next step would be taken by the Los Angeles Port Authority in advising the San Francisco Bay port authorities and terminal operators that the increase in tolls has been put in effect, whereupon such action by the Board as may be deemed expedient would be further considered.

The Port Manager reported that Maritime Street, connecting Fourteenth Street to the overcrossing approach to the San Francisco Oakland Bay Bridge would be fully completed on June 15 and reported that the Oakland Junior Chamber of Commerce had requested to be advised whether or not the Board desired it to sponsor a celebration of the event. The Port Manager was directed to advise the Oakland Junior Chamber that no celebration was contemplated, and that the new approach to the bridge would be opened for traffic as soon as completed.

The Port Manager reported that the Alcor Aircraft Corporation, which constructed its first plane at the Oakland Municipal Airport, has received a very attractive offer from Seattle to establish its manufacturing plant in that city; further that Mr. E. W. Horsman, Vice-President of the

company, stated that he had received little encouragement in the bay area in respect to the financing of his proposed operations, and that he was giving serious consideration to the Seattle offer, although San Jose and Los Angeles were still considering making them a proposal.

From press reports, it was noted that the Boeing 42-ton cruiser had received preliminary tests in Seattle Harbor and that the new Douglas 4-motored plane, which the United Air Lines contemplates placing in operation in its trans-continental route, would be tested in a few days.

It was reported that Earl Ortman, Aviator who won the 150-mile race at the Oakland Municipal Airport during the Pacific International Air Races, had set a record of 1 hr. 48 minutes for the 500-mile flight from the Oakland Municipal Airport to San Diego on June 1, 1938.

The Port Manager stated that the Chamber of Commerce Harbor Committee met on June 1 and preliminarily discussed the present status of the proposed Alameda bridge across the estuary, which is to be further considered at a meeting to be held after additional information has been accumulated.

The Port Manager reported as follows on the status of certain funds as of June 3, 1938:

<u>Harbor Maintenance and Improvement Fund (No. 226)</u>	
Unencumbered Cash Balance as of June 3, 1938 .....	\$57,032.80
Set up in Special Funds 220 and 222.....	95,000.00
Total Unencumbered Cash in all revenue funds as of June 3, 1938 .....	152,032.80
Total Unencumbered Cash in all revenue funds as of May 31, 1938 .....	139,859.18
<u>1925 Oakland Harbor Improvement Fund (No. 567)</u>	
Cash Balance as of May 31, 1938 .....	224,869.15

The report of the Port Manager submitting comparative statement of condition of Fund 226 for the month of May, 1938, April 1938, and May 1937, was filed.

The report of the Port Manager on progress of the Port for the month of May, 1938, was filed.

The report of the Port Manager on operations at the Oakland Municipal Airport for the month of May, showing average storage of 106.1 planes, of which 99.7 were permanent planes and 6.4 were transient planes, was filed.

The reports of the Auditing Committee on weekly pay rolls, and claims and demands, as corrected, was adopted.

The following resolutions were introduced and passed by the following vote:

AYES: Commissioners Colbourn, Fisher, and President McElroy -3-  
NOES: None  
ABSENT: Commissioners Pardee, and Roland -2-

"RESOLUTION NO. 4677

RESOLUTION APPROVING WEEKLY PAY  
ROLLS, RATIFYING ALL HIRINGS AND  
EMPLOYMENTS THEREIN AND REIMBURSING  
PORT REVOLVING FUND.

BE IT RESOLVED that the weekly pay rolls for the weeks  
ending May 24, and May 31, 1938, be and the same are hereby approved  
and the hiring or employment of each and all of the services therein  
set forth at the compensations therein paid is hereby ratified, con-  
firmed and approved, and

BE IT FURTHER RESOLVED that the demand against the Harbor  
Maintenance and Improvement Fund for the reimbursement of the Port  
Revolving Fund in the amount set forth therein, having been approved  
by the Auditing Committee, is hereby approved and allowed, and the  
City Auditor be and he is hereby authorized and directed to draw his  
warrant for the same and make such reimbursement.

HARBOR MAINTENANCE AND IMPROVEMENT FUND:  
Port Revolving Fund Pay Rolls - \$2,513.55"

"RESOLUTION NO. 4678

RESOLUTION APPROVING AND ALLOWING  
CERTAIN CLAIMS AND DEMANDS.

RESOLVED: That the following claims and demands, having been  
approved by the Auditing Committee, be and the same are hereby approved  
and allowed by the Board of Port Commissioners and the Auditor is authorized  
to draw his warrant for the same out of the proper Fund:

HARBOR MAINTENANCE AND IMPROVEMENT FUND:

Air Reduction Sales Co.	\$ 12.73
American Bag & Union Hide Co.	3.03
American Brass & Copper Co.	22.97
American Tractor Equipment Corporation	17.13
Baker, Hamilton & Pacific Company	52.15
Bay Cities Sandblasting Co.	200.00
Bay City Lumber Co.	17.22
Geo. R. Borrmann Steel Company	93.37
Burroughs Adding Machine Company	2.71
City of Oakland, City Hall	391.28
L. M. Clough Co.	723.61
Dearborn Chemical Company	23.20
East Bay Blue Print and Supply Co.	46.40
The Electric Corporation	107.60
General Petroleum Corporation of California	4.51
General Roofing Company	158.00
Ben C. Gerwick, Inc.	798.50
Greenwood Printers Ltd.	34.25
Hill & Morton Inc.	149.79
Homelite Corporation	12.24
Independent Carrier Co., Ltd.	48.00
Industrial Equipment Company	365.00
E. & R. James Co.	16.44
The Jones Auto Supply Co.	5.00
A. W. Kitchen & Co.	267.75
W. P. Koetitz	185.00
Geo. A. Kreplin Co.	46.63
Libby, McNeill & Libby	14.17
The A. Lietz Company	9.27
Lumber Terminal Company	26.00
Maxwell Wholesale Hardware Company	129.70
Melrose Lumber & Supply Co.	7.37
Chas. R. Mulgrew	40.43
National Lead Company	6.66
Oakland Air Port Transportation Service	200.00
Oakland Plumbing Supply Co.	1.03
Oliver Farm Equipment Sales Company	.33
The Pacific Telephone and Telegraph Company	27.08
Pitchometer Propeller Co.	59.16
Rio Grande Oil, Inc.	181.88
J. H. Pomeroy & Co., Inc.	340.00
Sentinel Sanitary Supply Company	8.59
B. Simon Hardware Co.	61.75

Irving L. Singer Co.	\$25.75
Smart and Mitchell	10.91
Smith Brothers	4.30
Southern Pacific Company	13.00
State Electric Supply, Ltd.	174.99
Tide Water Associated Oil Company	12.32
Transit Concrete	24.52
The Tribune Publishing Co.	11.20
Union Paper Company	2.00
Voegtly & White	1.06
Zellerbach Paper Company	30.16
Geo. A. Attwood	25.18
A. C. Meadows	22.22
Geo. H. Nash	64.10
Harold Wiltermood	31.08
Port Revolving Fund - Miscellaneous	349.71
Pay Rolls - Administrative Department	2,142.51
" " - Airport	860.00
" " - Engineering Department	2,224.96
" " - Grove and Market Street Piers	1,581.53
" " - Maintenance Department	3,406.78
" " - Ninth Avenue Pier	579.27
" " - Outer Harbor Terminal	5,124.52
" " - Traffic Department	1,368.31
	<u>\$23,008.31</u>

"RESOLUTION NO. 4679

RESOLUTION RELATIVE TO UNPAID  
RENTALS BY FORMER BROOKLYN BASIN  
LESSEES.

Whereas, pursuant to the decisions of the Supreme Court of California in the Brooklyn Basin lease cases, which confirmed the cancellation by this Board as of June 30, 1936, of certain leases granted by the City in 1911, this Board has given consideration to the calling of bids for new leases in certain instances and has conferred with the former lessees, but is not yet in a position to award permanent leases, and

Whereas, pending such action, certain of the former lessees, as reported in writing by the Port Manager, have remained in possession of tideland areas and improvements formerly occupied by them, but have not as yet made final settlement to the City for rentals or other compensation due for such occupancies since July 1, 1936, and it is desired to protect the City's interests pending such time as permanent leases may be awarded upon public bidding, now therefore,

BE IT RESOLVED that the Port Attorney be and he is hereby authorized and directed to file legal action, prior to June 30, 1938, and in such form as he may be advised, against each of said former lessees, or any subtenants thereof, who at any time since June 30, 1936 has been in occupancy of portions of such tideland areas and has not, in accordance with agreement with the Board, paid or properly arranged to pay compensation to the City for such occupancy, for recovery of a reasonable rental or other compensation therefor; provided that no such action shall be filed against any such lessee who shall enter into a suitable written agreement with this Board, in form approved by the Port Attorney, to toll any applicable Statute of Limitations until December 31, 1938."

"RESOLUTION NO. 4680

RESOLUTION AUTHORIZING ADVERTISE-  
MENT FOR BIDS FOR CRUSHER RUN ROCK.

BE IT RESOLVED that the Secretary of this Board be and he is hereby authorized to advertise for five consecutive days in the official newspaper for sealed proposals for furnishing 20,000 tons of crusher run rock, in accordance with the specifications heretofore approved by this Board in Port Resolution No. 4605".

"RESOLUTION NO. 4681

RESOLUTION EXTENDING TIME FOR  
PERFORMANCE OF CONTRACT WITH  
HEALY TIBBITTS CONSTRUCTION CO.

BE IT RESOLVED that, good reason appearing therefor, the time for the performance of the contract with Healy Tibbitts Construction Co. for the construction of an extension to Ninth Avenue Pier (P.W.A. 1629-DS) be and the same is hereby extended to and including July 25, 1938.

BE IT FURTHER RESOLVED that it is proposed to waive liquidated damages for the period of said extension of time provided such waiving meets with the approval of the Public Works Administration."

"RESOLUTION NO. 4682

RESOLUTION GRANTING PERMISSION  
TO HOWARD TERMINAL TO MAKE  
REPAIRS AT PIER NO. 2.

BE IT RESOLVED that the application of Howard Terminal for permission to make repairs at the South end of Pier No. 2 by installing two new corner dolphins at an estimated cost of \$2,000, be and the same is hereby granted and the plans therefor approved.

BE IT FURTHER RESOLVED that said Howard Terminal shall be entitled to such refunds from dockage and tolls as may be authorized in its lease with the City dated November 5, 1914."

"RESOLUTION NO. 4683

RESOLUTION GRANTING LEAVE OF ABSENCE  
TO COMMISSIONER EUGENE W. ROLAND.

BE IT RESOLVED that, upon his request, a leave of absence is hereby granted to Eugene W. Roland from attendance upon this Board for a period of three months commencing forthwith, with permission to leave this State and country during which time he anticipates visiting various ports, including airports, in the United Kingdom and Continental Europe."

"RESOLUTION NO. 4684

RESOLUTION RATIFYING, CONFIRMING  
AND APPROVING REGULAR APPOINTMENT  
OF RUTH CROTER TO POSITION OF  
INTERMEDIATE STENOGRAPHER-CLERK.

RESOLVED that the action of the Port Manager in making the following appointment is hereby ratified, confirmed and approved by this Board:

Ruth Croter, Intermediate Stenographer-Clerk,

(Port Ordinance No. 222, Section 7.08), \$100 per month - appointment effective June 2, 1938."

RESOLUTION NO. 4685

RESOLUTION APPROVING PERFORMANCE  
AND LABOR AND MATERIAL BONDS OF  
INDEPENDENT CONSTRUCTION CO., LTD.

BE IT RESOLVED by the Board of Port Commissioners of the City of Oakland that the faithful performance bond, and the labor and material bond of Independent Construction Co., Ltd., a corporation, executed by Glens Falls Indemnity Company, a corporation of New York and by said contractor with the City of Oakland, covering the construction of pavement for extension to Ninth Avenue Pier, Oakland, be and the same are hereby accepted and approved."

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The Port Manager reported that E. B. Bumstead, who had previously offered to sell 120 acres of property in Alameda, adjoining the Airport, had submitted a new map of the property showing that the acreage, as previously offered, amounted to 152.38 acres instead of 120 acres, and that a small parcel of land amounting to 1.93 acres located within the area offered, had been previously conveyed to others and was not included in the offer as made. It was the consensus of the Board that the offer of \$20,000, which had previously been made to Mr. Bumstead, should stand.

ADJOURNED.



SECRETARY

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS  
of the  
PORT OF OAKLAND

Held on Monday, June 13, 1938, at the hour of 3:30 p.m., in the office of the Board, Room 75, Grove Street Pier, due written notice of such meeting having been given members of the Board.

Commissioners present: Colbourn, Fisher, and President McElroy -3-

Commissioners absent: Pardee, and Roland on leave -2-

The Port Manager, Port Attorney, and Assistant Chief Engineer were also present.

The minutes of the regular meeting of June 6, 1938, were approved, as read, and adopted.

Communication from Congressman Clarence F. Lea advising that prospect looks favorable for Oakland Supply Depot, but that action would probably go over to next session of Congress, and further, that the Naval Affairs Committee would undoubtedly make a personal inspection of the project following adjournment of Congress, was filed.

Communication from Congressman Albert E. Carter, in response to the Board's letter of May 25th, advising that he is doing everything possible to effect favorable action on Naval Supply Depot legislation at this session, was filed.

Communication from Harry G. Williams, City Auditor, returning, without Auditor's countersignature and certificate, proposed agreement with Rhodes

& Kennedy Inc. for the purchase of two thousand barrels Portland cement at a price of \$2.48 per barrel, and suggesting that cement be bought in the open market, taking advantage of low fiscal year bids submitted to the city for cement which is lower than the price submitted by Rhodes & Kennedy, Inc., was read. It was stated that lowest fiscal year bid for cement recently submitted to the City Council was \$1.79 per barrel, but that cement could not be purchased under this bid, if awarded by the City Council, until after July 1, 1938. The Board authorized the Port Manager to further discuss the matter with the City Auditor and arrange to purchase the cement in the open market until July 1, at a price of not more than \$2.48, which was the lowest price submitted in open market, following rejection of bids received by the Board, and following July 1, 1938, to purchase cement at a price not more than the City's contract for cement.

Communication from Mr. Earle Wright, Executive Secretary, Pacific International Air Race Association, requesting extension of time from June 19 in which to remove grandstands and other race course equipment from Oakland Municipal Airport, as required by the agreement, was read. The Port Manager stated that representatives of the Safeway Scaffolding Co. were expected during the week to arrange for the removal of the grandstand, and consideration of Mr. Wright's request was deferred until the next meeting of the Board.

Communication from J. A. Sowers, General Chairman National Foreign Trade Committee, Oakland Chamber of Commerce, submitting report of activities and results obtained during National Foreign Trade Week, May 22 to 28 inclusive, was filed.

Communication from J. J. Flynn, National Foreign Trade Week Committee of Metropolitan Oakland, enclosing receipted bills for \$142.85, covering expenses incurred during celebration of Foreign Trade Week and requesting the Board's contribution of \$125.00 toward defraying these expenses, was read and resolution later passed authorizing appropriation as requested.

Communication from Alf Gorstrom requesting use of 30' x 50' shed at the foot of Seventh Avenue on a month to month basis at a rental of \$10.00 per month, the shed to be repaired and maintained by him and used for boat building, was read and the Port Manager authorized to arrange for rental of the shed on a month to month basis at \$10.00 per month.

Communication from the Oakland Junior Chamber of Commerce submitting receipted invoices in the amount of \$25.00, together with its invoice for \$25.00, to defray expenses incurred during the annual celebration of the Junior Birdmen of America, which was sponsored by the Junior Chamber of Commerce at the request of the Board, was read and claim later approved in payment of the \$25.00 contribution.



Certified copy of Civil Service Board's Resolution No. 16514 granting leave of absence to Edward F. O'Brien, Port Maintenance Laborer, and Robert L. Westdahl, Dock Clerk, in order to permit them to perform military duty, was filed.

Certified copy of Civil Service Board's Resolution No. 16518 establishing two classes of positions entitled Nozzleman or Laborer and Gun Operator or Laborer, was filed.

Communication from Commander V. H. Ragsdale, U. S. Navy, expressing, on his departure to attend assignment at War College at Newport, appreciation of the Board's cooperation in connection with the U. S. Naval Reserve at the Oakland Municipal Airport, was filed.

Copy of letter from Wm. S. Culbertson, Oakland Chamber of Commerce' representative in Washington, D. C., setting forth present status of the Oakland Naval Supply Depot legislation, was filed.

Communication from the Port Manager recommending certain revisions in Port tariff, was read. It was explained that the East Bay Terminal Operators and the San Francisco Bay Carloading Conference had published like changes in their tariffs and that the changes were recommended in order that the Port's tariff be kept uniform therewith. An ordinance amending Port Ordinance No. 60 was later introduced and passed to print.

Communication from the Port Manager advising that approval has been obtained from the Works Progress Administration for rehabilitation of the E. K. Wood Lumber Co. wharf at an estimated total cost of \$59,525.00, with cost to the Port of \$19,826.00, and recommending approval of the project and advertising for bids for the necessary materials, was read and resolution later passed approving the carrying out of the project and authorizing advertising for bids for lumber required, and for rental of pile driver to be used in rehabilitation of the wharf.

The Port Manager reported as follows on the status of certain funds as of June 10, 1938:

<u>Harbor Maintenance and Improvement Fund (No. 226)</u>	
Unencumbered Cash Balance as of June 10, 1938.....	\$55,946.17
Set up in Special Funds 220 and 222 .....	95,000.00
Total Unencumbered Cash in all revenue funds	
as of June 10, 1938 .....	150,946.17
Total Unencumbered Cash in all revenue funds	
as of May 31, 1938 .....	139,859.18
 <u>1925 Oakland Harbor Improvement Fund (No. 567)</u>	
Cash Balance as of June 10, 1938 .....	244,869.15

The income and expense report of the Oakland Airport Transportation Service for the months of April and May, 1938, was filed.

The report of the Port Attorney on issues pertaining to back rentals due from former Brooklyn Basin lessees was read and deferred for further consideration until the next meeting of the Board. At this time, Mr. Otto Fischer, President of the Union Diesel Engine Co., and Roscoe D. Jones, Attorney, met with the Board and discussed the matter of payment of rental of waterfront land adjoining his property for the period July 1, 1936 to November 1, 1937. Mr. Jones stated that Mr. Fischer, upon receiving copy of Resolution No. 4371, had sent in his checks in the amount of \$66.67 for payment of this rental on the basis of his former twenty-five year lease with the City which was canceled by the Board at the termination of the lease on June 30, 1936. The Board pointed out that the resolution merely authorized the Port Manager to make an arrangement, but that no arrangement had apparently been made. Mr. Fischer, however, assuming that the rental would be on the old lease basis, sent in his checks to cover. It was reported that the checks, although received, had never been cashed, having been held until negotiations for a new lease were completed. President McElroy inquired if any other former lessee, including the E. K. Wood Lumber Company, had sent in their checks for payment of past-due rental, and the Port Manager stated that to his knowledge neither the E. K. Wood Lumber Company nor any other former lessee had acknowledged the receipt of the copy of resolution nor had sent in their checks for past-due rentals. Mr. Jones then stated that his clients had shown the resolution to him and that he had assumed that both the Union Diesel Engine Co. and E. K. Wood Lumber Company had sent in their checks. Following further discussion, President McElroy stated that the Board would further consider the matter and arrive at a decision. After departure of Messrs. Jones and Fischer at about 4:30 p.m., a further general discussion of the matter was held. Opinion was expressed that the lessees could not technically and legally claim waiver of back rental, but that some adjustment could probably be made on a reasonable basis, which would not necessarily be the rental basis which has been agreed to for future occupancy of the property. The entire matter was continued for further discussion at the next Board meeting.

The Port Attorney reported that demurrer to answer in El Dorado franchise case was argued last Tuesday, June 7, and attorneys E. J. Foulds and Charles Beardsley joined with the defense and asked time for filing briefs.

The Port Attorney reported that the House of Representatives is reported to have adopted Senate Joint Resolution No. 208, directing the Attorney General to establish the Government's claim to oil deposits in Southern California tidelands.



The Port Attorney reported that the Mileage Gasoline suit against the City of Oakland will be tried during the week before the U. S. District Court in San Francisco.

It was reported that Senator T. F. Green had advised that the Port Attorney's communication in respect to income tax on public employees had been entered by him in the Congressional record; further, that Senator McAdoo had advised that he is opposed to retroactive application of taxes to public employees. It was further reported that the Moore Dry Dock Company had wired various Senators in opposition to retroactive taxes.

The Port Manager reported that W. F. Williamson, Attorney, representing Henry Ford, owner of the Standard Gas Engine Co. property at the foot of Dennison Street, now advises that he has never contemplated payment of back rentals on adjoining waterfront land, but is willing to lease the land for \$50.00 a month; further, that William J. Cryer & Sons, who occupy the land, have been paying Mr. Ford \$75.00 a month, and Mr. Williamson says that this was rental for their fee property only.

The Port Manager reported that during May, thirty-seven scheduled transport planes passed up San Francisco Airport due to unfavorable weather conditions, or for other reasons, and mail, express, and passengers were handled at the Oakland Municipal Airport.

The Port Manager reported that D. S. Basim, representing the Bendix Corporation, had visited the Oakland Municipal Airport on June 9 and advised that new landing beam equipment would be delivered in about ten days and would then be installed; further, that the cost of this equipment to the Bendix Corporation is estimated at \$4300.00.

It was reported that the State Toll Bridge Authority, City Manager and others had been advised that Maritime Street approach connecting the Outer Harbor Terminal with the bridge would be ready for opening on June 15.

The Port Manager stated that conference had been held with Mr. H.F. Harrold, Assistant Engineer, who advises that the Southern Pacific Company is willing to recommend the transfer to the City of Oakland of a fifty-foot strip of their land along the 1852 tideline from Seventh Street to Twenty-second Street to be dedicated to highway purposes provided the Southern Pacific Company will not be required to participate in improvement of the street. The Port Manager further reported that Mr. Harrold had been requested to confirm this statement in writing for consideration by the Board.

In connection with other Southern Pacific land matters, it was reported that Attorney F. J. Foulds had indicated that the Southern Pacific

would be agreeable to consider an offer to purchase its lands at the foot of Broadway, and the Port Manager was directed to discuss this matter, as well as matters pertaining to right-of-way for the proposed embarcadero, with Mr. D.V. Cowden, who is in the Real Estate and Tax Department of the Southern Pacific Company.

The Port Manager stated that he had received a verbal request from Mr. G. S. Beach, of Libby, McNeill & Libby, for a letter setting forth the Board's offer to cancel two-thirds of their storage charges which accrued at the Outer Harbor Terminal during the last maritime strike, and the Board directed the Port Manager to confirm its offer.

It was reported that a Giant Douglas DC 4 transport plane, weighing 65,000 pounds with a capacity of forty-two passengers, and equipped with tricycle landing gear, was test flown at Los Angeles and satisfactorily passed preliminary tests.

The Port Manager stated that he had received a request from the Case Construction Co. of Los Angeles for the sale or lease of the Port's suction dredge. It was the consensus of the Board that no consideration should be given to the sale of the dredge at this time, but that consideration would be given to a satisfactory offer for rental, and the Port Manager was directed to request the Case Construction Co. to submit an offer for the Board's consideration.

The report of the Auditing Committee on claims and demands was adopted.

The following resolutions were introduced and passed by the following vote:

- AYES: Commissioners Colbourn, Fisher, and President McElroy -3-
- NOES: None
- ABSENT: Commissioners Pardee and Roland -2-

"RESOLUTION NO. 4686

RESOLUTION APPROVING AND ALLOWING CERTAIN CLAIMS AND DEMANDS.

RESOLVED: That the following claims and demands, having been approved by the Auditing Committee, be and the same are hereby approved and allowed by the Board of Port Commissioners and the Auditor is authorized to draw his warrant for the same out of the proper Fund:

HARBOR MAINTENANCE AND IMPROVEMENT FUND:	
Daniel Contracting Company	\$ 499.01
Heafey-Moore Company	3,892.83
Lee J. Immel	1,796.67
Acme Awning & Linoleum Co.	43.26
Alhambra Water Company	1.24
American Aviation	5.00
Associated Stationers	38.87
Baker, Hamilton & Pacific Company	19.69
Bay Cities Asbestos Co.	.97
Geo. R. Borrmann Steel Company	24.01
Burroughs Adding Machine Company	.77
California Pottery Company	15.15
Calrock Asphalt Company	31.75

City of Oakland - Department of Streets	\$ 385.57
L. M. Clough Co.	538.96
Cochran & Celli	4.72
Columbia Wood and Metal Preservative Co.	237.93
Henry Cowell Lime and Cement Co.	17.73
Dempsey & Sanders	40.98
Dock Checkers Employers Association	102.24
Down Town Battery & Electric Co., Inc.	15.29
East Bay Glass Company	.67
East Bay Municipal Utility District	75.00
The Electric Corporation	131.46
Electric Supply Co.	3.03
Firestone Auto Supply & Service Stores	246.51
Gilson Electrical Supply Co.	21.53
The A. J. Glesener Co.	21.23
Golden Gate Sheet Metal Works	12.24
Grinnell Company of the Pacific	2.16
H. & M. C. Co.	6.70
E. R. Hatherly Company	2.25
Heafey-Moore Co.	598.03
Hersey Inspection Bureau	30.00
Hill & Morton, Inc.	127.01
Lee J. Immel	787.25
Independent Carrier Co., Ltd.	44.00
Independent Construction Co., Ltd.	448.50
Industrial Gear and Machine Works	3.61
The Inter City Printing Co.	189.08
International Business Machines Corporation	15.50
The International Press	25.75
E. & R. James Co.	28.83
L. N. "Len" Johnson-Typewriters	5.00
Kling-Dawers Stationery Co., Inc.	2.63
Walter P. Koetitz	185.00
Geo. A. Kreplin Co.	.76
Laird's Stationery	3.03
Lawton & Williams	30.39
Harry B. Liggett Co.	5.65
C. W. Marwedel	18.36
Maxwell Wholesale Hardware Company	11.20
Melrose Lumber & Supply Co.	108.17
Albert C. Moe	214.39
National Lead Company	248.73
Oakland Junior Chamber of Commerce	25.00
Oakland Fire Extinguisher Company	6.23
Oakland Plumbing Supply Co.	8.92
Oakland Sand and Gravel Company	15.00
Pacific Pipe Company	15.14
Pacific Tool and Supply Company	65.50
The Paraffine Companies, Inc.	177.02
Peterson Tractor & Equipment Co.	25.57
Planett Manufacturing Company	84.25
Ransome Company	138.07
Rhodes & Kennedy, Inc.	396.80
Rio Grande Oil, Inc.	383.77
San Francisco Commercial Club	9.43
Schirmmacher Co.	2.80
Sentinel Sanitary Supply Company	2.50
Service Heat & Power Company	286.34
Shell Oil Company	4.64
B. Simon Hardware Co.	22.46
Smith Brothers	7.67
Straub Manufacturing Co., Inc.	11.40
Clyde Sunderland	9.79
Sunset Lumber Company	20.58
Tide Water Associated Oil Company	52.98
Transit Concrete	36.93
Union Paper Company	27.25
United Iron Works	87.46
United States Rubber Products, Inc.	8.84
Chester N. Weaver Co.	2.12
E. C. Wenger Company	2.99
Western Loose Leaf Co.	15.02
Westinghouse Electric Supply Company	17.75
E. K. Wood Lumber Co.	78.69
M. D. McCarl	11.65
1925 OAKLAND HARBOR IMPROVEMENT BOND FUND:	
Healy-Tibbitts Construction Co.	4,669.39
Geo. M. Robinson & Company	5,971.00

ONE

"RESOLUTION NO. 4687

RESOLUTION APPROPRIATING ONE  
HUNDRED TWENTY-FIVE DOLLARS  
TO OAKLAND FOREIGN TRADE AND  
HARBOR CLUB.

Whereas, upon the assurance of this Board that it would appropriate the sum of one hundred twenty-five DOLLARS in defraying expenses to be incurred in the celebration of National Foreign Trade Week on May 22nd to 28th, 1938, inclusive, under the auspices of the Oakland Foreign Trade and Harbor Club, such celebration was successfully held in this city, and said Club has now exhibited vouchers revealing that it incurred expenses in excess of said amount in providing luncheons for members of the foreign Consular service and other distinguished guests and in appropriate advertising, and has requested approval thereof, now therefore,

BE IT RESOLVED that this Board hereby ratifies and confirms its appropriation of said sum of one hundred twenty-five DOLLARS for the purposes of defraying the expenses in publicizing the National Foreign Trade Week and hereby authorizes and allows payment of said sum upon the due filing of claims therefor, supported by suitable vouchers."

"RESOLUTION NO. 4688

RESOLUTION APPROVING WORKS PROGRESS  
ADMINISTRATION PROJECT FOR REHABILITATION  
OF WHARF ADJACENT TO E. K. WOOD  
LUMBER COMPANY'S PLANT UNDER GENERAL  
WHARF REPAIR PROJECT PROPOSAL NO.  
0803-1514, WORK PROJECT NO. 8780.

RESOLVED that the plans and specifications and estimates of cost for the rehabilitation of the wharf adjacent to E. K. Wood Lumber Company's plant under General Wharf Repair Project Proposal No. 0803-1514, Work Project No. 8780, and for which the Works Progress Administration has allotted funds, be and the same are hereby approved by this Board and the Port Manager is hereby authorized and directed to acquire the necessary materials and equipment and provide supervision for said work, the estimated cost thereof being \$19,826.

BE IT FURTHER RESOLVED that the Port Manager is hereby authorized to purchase any item of necessary materials and equipment less than \$1,000 in the open market."

"RESOLUTION NO. 4689

RESOLUTION AUTHORIZING ADVERTISEMENT  
FOR BIDS FOR LUMBER TO BE USED IN  
IMPROVEMENT AND REHABILITATION OF  
WHARF ADJACENT TO E. K. WOOD LUMBER  
COMPANY'S PLANT.

RESOLVED that the Secretary of this Board be and he is hereby authorized to advertise for five consecutive days in the official newspaper for sealed proposals for furnishing lumber for use in rehabilitation of wharf adjacent to E. K. Wood Lumber Company's plant, in accordance with the specifications heretofore approved by this Board in Port Resolution No. 4688."

"RESOLUTION NO. 4690

RESOLUTION AUTHORIZING ADVERTISEMENT  
FOR BIDS FOR FURNISHING PILE DRIVER  
TO BE USED IN IMPROVEMENT AND REHABILITATION  
OF WHARF ADJACENT TO E. K. WOOD LUMBER  
COMPANY'S PLANT.

RESOLVED that the Secretary of this Board be and he is hereby authorized to advertise for five consecutive days in the official newspaper for sealed proposals for furnishing a pile driver, in accordance with the specifications heretofore approved by this Board in Port Resolution No. 4688, said pile driver to be used in the rehabilitation of the wharf adjacent to E. K. Wood Lumber Company's plant."

"RESOLUTION NO. 4691

RESOLUTION EXTENDING LEAVE OF  
ABSENCE HERETOFORE GRANTED W. J.  
MASTERSON.

RESOLVED that the leave of absence heretofore granted W. J. Master-  
son is hereby extended for a period of one year commencing July 1st, 1938,  
subject to being recalled to duty at the direction of the Port Manager, with  
the condition that upon performance of any such duties he shall be paid a  
pro rata portion of his regular salary, otherwise such leave to be without  
pay."

"RESOLUTION NO. 4692

RESOLUTION RATIFYING CERTAIN  
TEMPORARY APPOINTMENTS.

RESOLVED that the following temporary appointments are hereby  
ratified, confirmed and approved by this Board, said appointments being  
in accordance with Resolution 4671 of this Board, and effective June 8,  
1938:

D. Kepler, Nozzleman or Laborer.  
H. Richardson, Gun Operator or Laborer."

Port Ordinance No. \_\_\_\_\_ being "AN ORDINANCE ADDING CERTAIN ITEMS TO  
PORT ORDINANCE NO, 60, AND REPEALING ITEM 1103 THEREOF" was introduced and passed  
to print by the following vote:

AYES: Commissioners Colbourn, Fisher, and President McElroy -3-  
NOES: None  
ABSENT: Commissioners Pardee and Roland -2-

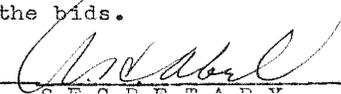
Mr. E. B. Bumstead and Mr. Applegarth met with the Board in respect to  
their offer to sell 152-acre tract in Alameda adjoining the Oakland Municipal  
Airport, which they are offering for sale at \$35,000.00. It was recalled that  
a suggestion had previously been made that \$20,000 might be considered for the  
property, if, on investigation, it was found that purchase of property within  
the limits of the City of Alameda was feasible. The determination of present  
litigation affecting the property, in which the owners are involved, was also  
mentioned as a matter to be investigated. Mr. Bumstead stated that after fur-  
ther discussing these matters with his principals he would again confer with the  
Board.

Pursuant to Resolution No. 4680 and advertising for five consecutive  
days in the city's official newspaper, bids for Furnishing and Delivering Twenty  
Thousand (20,000) tons, more or less of Crusher Run Rock to Oakland Municipal  
Airport were received between the hours of 3:30 and 4:30 p.m. At the hour of  
4:30 p.m., the following bids, being all the bids received, were publicly opened:

<u>BIDDER</u>	<u>PER TON</u>	<u>TOTAL</u>	<u>CERTIFIED CHECK</u>
Daniel Contracting Co.	\$1.09	\$21,800.00	\$2,200.00
Lee J. Immel	1.28	25,600.00	2,600.00
L. M. Clough Co.	1.037	20,740.00	2,200.00
Hutchinson Co.	1.21	24,200.00	No check

These bids were referred to the Port Attorney as to legality and the  
Port Manager for recommendation as to acceptance of the bids.

ADJOURNED.

  
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## REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

of the

PORT OF OAKLAND

Held on Monday, June 20, 1938, at the hour of 3:30 p.m., in the office of the Board, Room 75, Grove Street Pier, due written notice of such meeting having been given members of the Board.

Commissioners present: Colbourn, Fisher, and President McElroy -3-

Commissioners absent: Pardee, and Roland on leave -2-

The Port Manager, Port Attorney, and Assistant Chief Engineer were also present.

The minutes of the regular meeting of June 13, 1938, were read, approved, and adopted.

Telegram from K. A. Godwin, Regional Director, Public Works Administration, advising that only by immediate submission of application for projects will early allotment of Public Works Administration funds be made available, together with letter from the Port Manager submitting estimate of cost of various worthwhile Airport and Port projects, was read. The Port Manager reported that he had conversed by telephone with W. A. Patterson of the United Air Lines in Chicago, who stated that their analysis indicated very strongly that Oakland Municipal Airport was the logical location for their shops and maintenance operations and that they would be very much interested if the buildings, estimated to cost about \$700,000.00, which they would require, could be constructed under a Federal grant, and leased to the United Air Lines. He further stated that he would send tentative plans of the buildings required and would come to Oakland in about three weeks for further discussion of the matter. Other airport improvements, as referred to in the Port Manager's letter, included the construction of a new Administration Building, field paving adjacent to the proposed Administration Building and flush runway lights, for which sufficient funds were available to finance under Public Works Administration projects. The provision of additional buildings at the Outer Harbor Terminal was considered, and it was pointed out that negotiations with possible tenants had not proceeded to such an extent as would warrant submitting applications for a grant for their construction. After further discussion, the Port Manager was directed to prepare and submit for Public Works Administration approval, Airport projects, as set forth, including proposed building for United Air Lines' operations, with the understanding that the Board does not, at this time, obligate itself to carry out the projects as submitted.

Communication from the American Dredging Company, submitting certified check in the amount of \$875.00 in payment of rental of property occupied by it in the Brooklyn Basin area on basis of lease which was canceled by the Board as of June 30, 1936, was read, and resolution later passed rejecting the tender and directing the Secretary to promptly return the check with notification that the Board demands the payment of fair and reasonable amount of rental for its occupancy and lease of the property subsequent to June 30, 1936.

Communication from the E. K. Wood Lumber Co., dated June 13, 1938, tendering check for \$262.50 for rental of tideland occupied by it in Brooklyn Basin from July 1, 1936 to December 31, 1937 on basis of rental as set forth in lease canceled by the Board as of June 30, 1936, was filed. The Secretary stated that upon receipt of this letter on June 14 he had discussed the matter with President McElroy and members of the Board and had been directed to return the check with the request that the E. K. Wood Lumber Co. confer with the Board as to reasonable compensation which should be paid for the use of the land during the period as set forth in their letter. Copy of the Secretary's letter to the E. K. Wood Lumber Co. was filed.

Communication from the General Engineering and Dry Dock Co., advising that they are agreeable to execute a one year's lease agreement for waterfront lands, and further requesting that rental from July 1936 to July 1937 be in accordance with Resolution No. 4371, was read and it was directed that Mr. George Armes, President, be advised that the Board would be pleased to confer with him regarding the adjustment of the rentals subsequent to July 1, 1936.

Communication from the Port Manager recommending the purchase of two additional used dump trucks to be used on Works Progress Administration projects at the Airport and on the Harbor, was read and resolution later passed authorizing the purchase of the two dump trucks in the open market at an estimated cost of \$850.00.

The Port Manager's Certificate of Completion of contract of California Wire Cloth Corporation for furnishing and delivering reinforcing steel for concrete paving of taxiways at the Oakland Municipal Airport, was filed.

The Port Manager's Certificate of Completion of contract of Lee J. Immel for furnishing and delivering materials for oil macadam pavement for Maritime Street, was filed.

The Port Manager's Certificate of Completion of contract of Heafey-

000

Moore Co. for furnishing and delivering 10,000 tons more or less of crusher run rock to Oakland Municipal Airport, was filed.

Copy of communication from Wm. S. Culbertson, Washington representative of the Oakland Chamber of Commerce, advising that the House Naval Affairs Committee will visit and inspect the Oakland Naval Supply Depot site in September, and that the Navy will continue its support of the site looking to favorable legislative action at the next session of Congress, was filed.

Communication from Congressman John H. Tolan, enclosing copy of letter addressed to Harold D. Weber, General Manager of the Oakland Chamber of Commerce, setting forth the present status of the Oakland Supply Base matter, was filed. In this connection, Vice-President Fisher stated that he had received a communication from Captain Henry de F. Mel in which Captain Mel indicated that the Navy would continue its support of the Oakland Supply Base site at the next session of Congress.

Communication from Mrs. Lillian W. Barbour, President of the Oakland League of Women Voters, expressing appreciation for courtesies shown the League at a recent Harbor inspection trip, and thanking President McElroy for his address to them at their luncheon at the Airport, was filed.

Communication from Congressman Albert E. Carter, advising that amendment to Public Works Administration Bill restricting use of Federal Funds for industries regulated by states, was stricken out, thus making funds available for public port development when same is in competition with private terminals, was filed.

Communication from Admiral Hepburn transmitting opinion from the Legislative Counsel addressed to Lieutenant Governor Hatfield holding that municipal employees may be members of the National Guard and Reserve forces, was filed.

Communication from City Manager J. F. Hassler, advising that he would be pleased to receive remittance of \$25,000.00 to apply on interest of the Port bonds was read and continued for further discussion at the next meeting of the Board.

Mr. Ed Buttner and Major Frank Flynn, representing the U. S. Army Reserve, with its base at the Oakland Municipal Airport, met with the Board and discussed the possibility of providing additional space for the activities of the Base at the Airport. Mr. Buttner stated that request had been made to the army for additional planes for training purposes and that if these planes were assigned to the base they would not have sufficient hangar space for them. He estimated that about twenty thousand square feet of hangar space would be required, which would be equivalent to a complete hangar. Mr. Buttner indicated

that it would be unlikely that the Government could pay additional rent over and above that now being paid inasmuch as other bases are being provided without cost. Long Beach was cited as an example where commodious and attractive quarters have been provided for the army with no rental charge. After further discussion, the Board requested Mr. Buttner to outline to the Port Manager and Chief Engineer the probable requirements of the army so that a thorough study could be made in respect to future developments at the Airport.

The Port Attorney reported that he had received an opinion from counsel for New York Port Authority holding that bonds of port authorities are exempt from Federal taxation.

Relative to the back rentals from Brooklyn Basin lessees, the Port Attorney reported that the General Engineering and Dry Dock Co. had signed stipulation waiving the statute of limitations and had stated they would seek adjustment in the matter of back rentals; that the Crowley Launch and Tugboat Company had agreed to sign and return the stipulation; that the proposed form of lease had been transmitted to the Union Diesel Engine Company on May 28, but that no comment had yet been received as to the lease terms.

The Port Attorney further reported that two years' time on back rentals will commence to run with July 1, 1938, after which the Port will probably be unable to recover full period of back rentals, if court action becomes necessary. It was the consensus of the Board that actions should be filed before July 1 in the event that stipulations waiving the statute of limitations were not received from the lessees.

The Port Attorney reported that the American Dredging Co. had submitted a letter declining to send in a signed stipulation, claiming that it has an existing lease; further, that the City Auditor had suggested a conference to effect settlement of the Port's issues with the American Dredging Co. and upon being advised as to the circumstances, he withdrew his suggestions.

The report of the Port Attorney relative to the trial of the case of the Mileage Gasoline Company against the City of Oakland for gasoline delivered in the fiscal year 1934-35, which case was tried on June 15, 1938 before Judge Roche, U. S. District Court, San Francisco, was filed.

The Port Manager reported that he had received a letter from Commissioner Roland, now en route to Europe, extending greetings to the Board.

It was reported that Wm. S. Culbertson, Oakland Chamber of

Commerce Washington representative, presented a short report on Congressional legislation at luncheon at the Leamington Hotel on June 20. Mr. Culbertson in his report referred to the Oakland Naval Supply Base legislation and stated that every effort would be made to secure favorable action on the legislation at the next session of Congress.

Attention was called to press reports to the effect that the Maritime Federation had adopted amendments to its constitution banning "quickie" strikes and job action.

The Port Manager called the Board's attention to press reports to the effect that Carl B. Sturzenacker, Chief of State Division of Lands, has been charged with conspiracy in connection with state oil lands, and has been divested of authority pending sweeping investigation ordered by Governor Merriam.

The Port Manager stated that he received communication from the Panama Pacific Line thanking the Board for assistance rendered in establishing the Baltimore Mail Steamship Co. intercoastal service.

The Port Manager stated that he had arranged to purchase cement for the paving of the taxiways at the Oakland Municipal Airport in the open market at \$1.79 per barrel, which is 69¢ under previous quotation.

The Port Manager called attention to the booklet issued by the Florida Ship Canal in which publicity of Oakland Harbor was included.

Attention of the Board was called to the action of the Federal Government in making \$500,000 available for the widening and deepening of the Stockton ship channel this year, with an additional \$515,000 in sight for the next fiscal year. It was also stated that San Jose would, at its next election, vote on the establishment of a deep water port.

The Port Manager reported as follows on the status of certain funds as of June 17, 1938:

<u>Harbor Maintenance and Improvement Fund (No. 226)</u>	
Unencumbered Cash Balance as of June 17, 1938.....	\$ 47,181.00
Set up in Special Funds 220 and 222.....	95,000.00
Total Unencumbered Cash in all revenue funds	
as of June 17, 1938.....	142,181.00
Total Unencumbered Cash in all revenue funds	
as of May 31, 1938.....	139,859.18
<u>1925 Oakland Harbor Improvement Fund (No. 567)</u>	
Cash Balance as of June 18, 1938.....	216,920.15

The report of the Port Manager, submitting the Chief Port Accountant's statement on condition of funds for nine months' period of the 1937-1938 fiscal year ending March 31, 1938, was filed.

The report of the Port Manager, submitting comparative statement of Accounts Receivable for months of April and May 1938, as pre-

pared by the Chief Port Accountant, was filed.

In respect to the removal of grandstands, pylons, and other race course equipment installed by the Pacific International Air Race Association for the air races which were held on May 28, 29 and 30, it was reported that further conferences would be held during the week with the Safeway Scaffolding Company and others, and it was believed that as a result of these conferences, arrangements would be made for the prompt removal of the equipment.

In respect to the removal of the "Golden Gate" ferryboat from the Outer Harbor basin, it was reported that every endeavor was being made to cause the removal of the ferryboat and that conference was held with representatives of the former and present owners of the boat, and that Lim Sing, the agent of the present owner, had indicated that he was making arrangements with George Renner, contractor, for the removal of the boat. The Port Manager stated that further conferences would be held during the week and progress in the matter would be reported at the next meeting of the Board.

The reports of the Auditing Committee on weekly payrolls, and on claims and demands, were adopted.

The following resolutions were introduced and passed by the following vote:

AYES: Commissioners Colbourn, Fisher and President McElroy -3-

NOES: None

ABSENT: Commissioners Pardee and Roland -2-

"RESOLUTION NO. 4693

RESOLUTION APPROVING WEEKLY PAYROLLS,  
RATIFYING ALL HIRINGS AND EMPLOYMENTS  
THEREIN AND REIMBURSING PORT REVOLVING FUND.

BE IT RESOLVED that the weekly payrolls for the weeks ending June 7 and June 14, 1938, be and the same are hereby approved and the hiring or employment of each and all of the services therein set forth at the compensations therein paid is hereby ratified, confirmed and approved, and

BE IT FURTHER RESOLVED that the demand against the Harbor Maintenance and Improvement Fund for the reimbursement of the Port Revolving Fund in the amount set forth therein, having been approved by the Auditing Committee, is hereby approved and allowed, and the City Auditor be and he is hereby authorized and directed to draw his warrant for the same and make such reimbursement.

HARBOR MAINTENANCE AND IMPROVEMENT FUND:

Port Revolving Fund Payrolls.....\$1,430.37. "

"RESOLUTION NO. 4694

RESOLUTION APPROVING AND ALLOWING  
CERTAIN CLAIMS AND DEMANDS.

RESOLVED: That the following claims and demands, having been approved by the Auditing Committee, be and the same are hereby approved and allowed by the Board of Port Commissioners and the Auditor is authorized to draw his warrant for the same out of the proper Fund:

HARBOR MAINTENANCE AND IMPROVEMENT FUND:

Air Reduction Sales Co. \$ 16.15  
American Bitumuls Company 35.34

The American City Magazine	\$ 2.00
Aristo Engraving Company	51.10
Baker, Hamilton & Pacific Company	47.96
Bay City Lumber Company	156.19
Geo. R. Borrmann Steel Company	74.91
Business Journalist	5.00
The Central Foundry Company	9.71
L. M. Clough Co.	508.64
Dearborn Chemical Company	19.46
East Bay Blue Print & Supply Co.	77.10
The Electric Corporation	5.75
Pageol Truck & Coach Co.	12.98
Fire Dispatch and Patrol	35.43
H. B. Folsom	52.33
Gabriel Moulin Studios	5.15
General Petroleum Corporation of California	34.23
The A. J. Glesener Co.	55.92
Grinnell Company of the Pacific	41.10
H. & M. C. Co.	13.39
Herrick Iron Works	318.00
Hubbard and Company	2.80
International Business Machines Corporation	5.00
Inter-Urban Express Corporation	.40
L. N. "Len" Johnson-Typewriters	12.50
Kling-Dawers Stationery Co., Inc.	3.94
W. P. Koetitz	110.00
Geo. A. Kreplin Co.	.48
Laird's Stationery	1.27
Mackay Radio and Telegraph Company	1.72
Maxwell Wholesale Hardware Company	40.28
National Fire Protection Association	10.00
National Lead Company	120.74
National Mill & Lumber Company	16.50
Oakland Airport Inn	36.30
Oakland Plumbing Supply Co.	21.78
Pacific Shipper	87.00
The Pacific Telephone and Telegraph Company	228.41
Pacific Tool and Supply Company	13.19
Peterson Tractor & Equipment Co.	92.95
Postal Telegraph-Cable Company	1.80
Powell Bros., Inc.	521.70
Printers' Ink Publishing Co., Inc.	5.00
Railway Express Agency, Inc.	.15
Rhodes & Kennedy, Inc.	620.00
Richfield Oil Corporation	40.67
Rio Grande Oil, Inc.	124.40
Royal Typewriter Company	3.50
San Francisco Bay Carloading Conference	5.00
The San Jose Evening News	8.40
Sentinel Sanitary Supply Company	4.24
Shipping Register	40.00
B. Simon Hardware Co.	41.09
Smith Brothers	101.73
Smith Lumber Company	7.94
Strable Hardwood Company	4.45
Clyde Sunderland	20.60
Sidney M. Hauptman, Trustee, Sunset Lumber Company	25.73
Tide Water Associated Oil Company	12.31
Transit Concrete	3.41
The Tribune Press	175.00
The Tribune Publishing Co.	13.60
Underwood Elliott Fisher Company	22.09
E. C. Wenger Company	.49
West Disinfecting Company	32.13
Western Transportation	40.00
The Western Union Telegraph Company	48.84
Whitthorne & Swan	9.27
Zellerbach Paper Company	13.33
H. G. Adam	5.00
Heafey-Moore Company	3,015.03
Libby, McNeill & Libby	1.57
Port Revolving Fund - Misc.	1,194.29

Payrolls - Administrative Department	\$2,139.16
" - Airport	860.00
" - Engineering Department	2,230.83
" - Grove and Market Street Piers	1,526.86
" - Maintenance Department	3,297.75
" - Ninth Avenue Pier	653.90
" - Outer Harbor Terminal	5,077.03
" - Traffic Department	1,392.50
	<u>\$25,723.94</u> "

"RESOLUTION NO. 4695

RESOLUTION ACCEPTING CONTRACT  
WITH HEAFEY-MOORE CO., A COR-  
PORATION, AND AUTHORIZING RECORD-  
ATION OF NOTICE OF COMPLETION.

RESOLVED that the contract with Heafey-Moore Co., a corpora-  
tion, for the furnishing and delivering of ten thousand (10,000) tons,  
more or less, of crusher run rock to Oakland Municipal Airport, Oakland,  
having been satisfactorily completed, be and the same is hereby accepted.

BE IT FURTHER RESOLVED that a Notice of Completion of said  
contract be duly filed in the office of the County Recorder of Alameda  
County."

"RESOLUTION NO. 4696

RESOLUTION ACCEPTING CONTRACT  
WITH LEE J. IMMEL, AND AUTHORIZ-  
ING RECORDATION OF NOTICE OF  
COMPLETION.

RESOLVED that the contract with Lee J. Immel for the furnish-  
ing and delivering of materials for oil macadam pavement to Maritime  
Street, Outer Harbor, Oakland, having been satisfactorily completed,  
be and the same is hereby accepted.

BE IT FURTHER RESOLVED that a Notice of Completion of said  
contract be duly recorded in the office of the County Recorder of  
Alameda County."

"RESOLUTION NO. 4697

RESOLUTION AWARDING CONTRACT  
FOR FURNISHING AND DELIVERING  
CRUSHER RUN ROCK TO OAKLAND  
MUNICIPAL AIRPORT.

BE IT RESOLVED that the contract for the furnishing and de-  
livering of 20,000 tons, more or less, of crusher run rock to Oakland  
Municipal Airport, Oakland, be and the same is hereby awarded to L. M.  
Clough Co., a co-partnership, as the lowest responsible bidder, in  
accordance with the terms of its bid, filed June 13, 1938.

BE IT FURTHER RESOLVED that, pursuant to the specifications,  
the certified check accompanying said bid shall be held as bond as a  
guarantee of the furnishing and delivering of said material. At and  
upon such delivery, said certified check shall be returned to said  
bidder.

BE IT FURTHER RESOLVED that the other bids received for said  
contract be and they are hereby rejected and the checks accompanying  
same shall be returned to the proper persons."

RESOLUTION NO. 4698

RESOLUTION ACCEPTING CONTRACT  
WITH THE CALIFORNIA WIRE CLOTH  
CORPORATION.

RESOLVED that the contract with The California Wire Cloth  
Corporation, a corporation, for furnishing and delivering reinforcing  
steel to Oakland Municipal Airport, having been satisfactorily completed,  
be and the same is hereby accepted."

"RESOLUTION NO. 4699

RESOLUTION AUTHORIZING CONSTRUCTION  
OF GAS STORAGE FACILITIES AT OAKLAND  
MUNICIPAL AIRPORT.

BE IT RESOLVED that the Port Manager be and he is hereby authorized to make arrangements for the construction of a 10' by 12' frame shed at Oakland Municipal Airport for the housing of helium gas storage facilities for use by the United States Weather Bureau at an estimated cost of \$200 and the plans therefor are hereby approved."

"RESOLUTION NO. 4700

RESOLUTION DIRECTING PORT MANAGER TO  
DISMANTLE GRANDSTAND AND STRUCTURES  
PLACED ON AIRPORT BY INTERNATIONAL  
AIR RACE ASSOCIATION.

Whereas, twenty days having elapsed since the conclusion of the air races conducted by International Air Race Association of America under that certain license agreement with said Association, dated May 10, 1938, and since the termination of such license agreement, and said Association having failed to remove or to cause the removal of the grandstand, fences and other structures placed upon the airport by it for such air meet, and it is necessary that such structures be removed without further delay, now, therefore,

BE IT RESOLVED that the Port Manager and Chief Engineer be authorized and he is hereby directed to forthwith employ such labor and other equipment as may be required to dismantle such grandstand and other structures and to store the material thereof in a suitable area upon the airport, and to hold such Association and any other interested party fully responsible for all expenses which may be incurred."

"RESOLUTION NO. 4701

RESOLUTION AUTHORIZING PORT  
MANAGER TO PURCHASE USED DUMP  
TRUCKS IN OPEN MARKET.

RESOLVED that the Port Manager is hereby authorized to purchase two used dump trucks in the open market, the purchase price of said trucks being estimated at \$850.00."

"RESOLUTION NO. 4702

RESOLUTION CANCELLING CERTAIN  
PORT REVOLVING FUND CHECKS MADE  
PAYABLE TO FORMER DOCK CLERKS,  
PART TIME.

Whereas, by Resolution No. 4400, payment of certain additional compensation to dock clerks, part time, was authorized and directed for services rendered between February 5th and April 1st, 1937, and checks were drawn in their favor upon the Port Revolving Fund, and it now appears that such persons cannot be located and their whereabouts are not known by the Ship's Clerks' Union, and

Whereas it is desirable to cancel such checks in order to clear the Port's records of such outstanding pay checks, now therefore,

BE IT RESOLVED that the City Auditor and Chief Port Accountant be authorized and directed to cancel such pay checks, as follows, to-wit:

Check No.	Date of Check	Name	Amount
47656	October 23, 1937	M. Concannon	\$1.10
47670	" " "	L. Loaiza	.42
47672	" " "	H. Marshall	.43
47678	" " "	F. Sullivan	.42
47689	" " "	W. Barrette	1.25
47714	" " "	W. Hoffman	.30
47722	" " "	L. Labor	.30
47736	" " "	H. Marshall	1.85
47754	" " "	F. Sullivan	.50
47757	" " "	R. Taylor	.40
47759	" " "	E. Thomas	.95
47766	" " "	A. Wood	3.95
47768	" " "	C. Young	.20. "



"RESOLUTION NO. 4703

RESOLUTION CANCELLING PORT  
REVOLVING FUND CHECKS PAYABLE  
TO CERTAIN DOCK WORKERS.

Whereas certain checks have been drawn upon the Port Revolving Fund in favor of various dock workers, and said workers cannot be located, and letters addressed to them at their last known addresses have been returned unclaimed, and it is desirable that the books of the Port should be cleared from such outstanding checks, now therefore,

BE IT RESOLVED that the City Auditor and Chief Port Accountant be authorized and directed to cancel such pay checks, as follows, to-wit:

Check No.	Date of Check	Name	Amount
27308	June 20, 1934	H. C. Cornelius	\$49.00
27980	August 8, 1934	Donald Capp	3.00
28138	August 15, 1934	J. O'Neil	12.00
30232	December 19, 1934	L. E. Caster	.40
34028	September 18, 1935	Charles Hills	5.00
41861	October 6, 1936	James B. Fitzgerald	7.60
42341	October 20, 1936	M. Arroyo	2.00.

"RESOLUTION NO. 4704

RESOLUTION WAIVING LIQUIDATED  
DAMAGES FOR DELAY IN PERFORMANCE  
OF CONTRACT BY HEALY-TIBBITTS  
CONSTRUCTION CO.

Whereas, by Resolution No. 4681, passed June 6, 1938, this Board of Port Commissioners duly extended the time of performance of the contract by Healy-Tibbitts Construction Co. for the construction of an extension to 9th Avenue Pier (P.W.A. 1629-DS) to and including July 25, 1938, and proposed the waiver of liquidated damages upon securing the approval of the Public Works Administration, and

Whereas, said Public Works Administration has approved such extension of time, and said proposed waiver of such damages, and it appears to this Board that the delay in the performance of such contract was due to no fault of the contractor, and was in fact for the convenience of this Board, and such damages should be waived, now therefore,

BE IT RESOLVED that liquidated damages for the said extended period to and including July 25, 1938 be and the same are hereby waived."

"RESOLUTION NO. 4705

RESOLUTION AUTHORIZING AGREEMENT WITH  
UNITED STATES OF AMERICA FOR THE  
FURNISHING OF ELECTRICAL SERVICE TO  
AIRWAYS TELETYPE CONTROL STATION,  
OAKLAND MUNICIPAL AIRPORT.

BE IT RESOLVED that the Port Manager be and he is hereby authorized to enter into an agreement with United States of America, Department of Commerce, Bureau of Air Commerce, extending for a further period of one year commencing July 1, 1938 that certain agreement between the parties dated June 27, 1931 for the furnishing of electrical energy for the Airways Teletype Control Station at Oakland Municipal Airport, upon and subject to the terms of said last mentioned agreement."

"RESOLUTION NO. 4706

RESOLUTION AUTHORIZING AGREEMENT WITH  
UNITED STATES OF AMERICA FOR TELETYPE  
QUARTERS, OAKLAND MUNICIPAL AIRPORT.

BE IT RESOLVED that the Port Manager be and he is hereby authorized to enter into an agreement extending for a further period of one year commencing July 1, 1938 that certain agreement dated July 1, 1937 providing for the occupancy by the Bureau of Air Commerce Rooms 1, 2, 2-A and 2-B, with adjoining washroom, in consideration of the payment of the sum of \$1.00 for such term."

"RESOLUTION NO. 4707

RESOLUTION AUTHORIZING CERTAIN AGREEMENTS WITH UNITED STATES OF AMERICA.

BE IT RESOLVED that the rentals accruing prior to January 1, 1938 under that certain lease between Pacific Steel and Wire Company and the United States of America dated April 1, 1937 having been paid to this Board, the President of this Board be and he is hereby authorized to execute a release and quitclaim releasing and quitclaiming to the United States of America any further claim to such rentals accruing prior to January 1, 1938 and to agree therein that this Board shall assume all rights and obligations under said lease from January 1, 1938 until the expiration of the term therein set forth."

"RESOLUTION NO. 4708

RESOLUTION REJECTING TENDER BY AMERICAN DREDGING COMPANY OF A FURTHER CHECK IN ALLEGED PAYMENT OF RENTAL.

Whereas, American Dredging Company, a corporation, has tendered a check (No. 4537) drawn in the amount of \$875, dated June 17th, 1938, as alleged payment for rental for the period of July 1, 1938 to and including December 31, 1938, under the terms of a claimed renewal and/or extension of its former lease with the City of Oakland, dated June 30, 1911, which lease was duly canceled by this Board as of June 30, 1936, now therefore,

BE IT RESOLVED that this Board hereby rejects the tender of said check for the reasons heretofore set forth in Resolution No. 4492 rejecting a former tender of payment, and directs its Secretary to promptly return said check to the said Company with a certified copy of this resolution, and to notify it that the Board hereby demands of said Company that it pay a fair and reasonable amount of rental for its occupation and use of said premises since June 30, 1936."

Port Ordinance No. 285 being "AN ORDINANCE ADDING CERTAIN ITEMS TO PORT ORDINANCE NO. 60, AND REPEALING ITEM 1103 THEREOF," having been duly introduced, read and published, was finally adopted by the following vote:

- AYES: Commissioners Colbourn, Fisher, and President McElroy -3-
- NOES: None
- ABSENT: Commissioners Pardee and Roland -2-

Port Ordinance No. \_\_\_\_\_ being "AN ORDINANCE AMENDING VARIOUS ITEMS OF PORT ORDINANCE NO. 60, ADDING CERTAIN ITEMS THERETO, AND REPEALING OTHER ITEMS THEREOF," was introduced and passed to print by the following vote:

- AYES: Commissioners Colbourn, Fisher and President McElroy -3-
- NOES: None
- ABSENT: Commissioners Pardee and Roland -2-

The request of the Oakland Foreign Trade and Harbor Club for endorsement of its movement to have one of the U. S. Naval cruisers named "OAKLAND," was discussed and the Port Manager directed to advise the Oakland Foreign Trade and Harbor Club that the Board was favorable toward the objective which they are sponsoring.

Pursuant to Resolution No. 4689 and Resolution No. 4690 and advertising for five consecutive days in the city's official newspaper, bids for

Furnishing and Delivering Approximately One Hundred Eighty Thousand Board Feet of Green Timber in rear of wharf at foot of Frederick Street extended, and for Rental of Piledriver for a period of approximately six months were received between the hours of 3:30 and 4:30 p.m. At the hour of 4:30 p.m., the following bids, being all the bids received, were publicly opened:

BIDS FOR FURNISHING AND DELIVERING APPROXIMATELY ONE HUNDRED EIGHTY THOUSAND BOARD FEET TIMBERS AND LUMBER

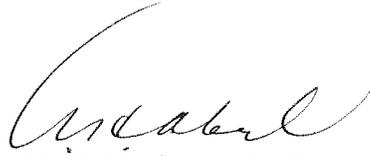
<u>Bidder</u>	<u>Lump Sum</u>	<u>Certified Check</u>
E. K. Wood Lumber Co.	\$3,979.00	\$400.00
Smith Lumber Co.	4,198.03	No Check
Oakland Lumber Co.	4,171.71	425.00
Melrose Lumber & Supply Co.	4,541.72	500.00

BIDS FOR RENTAL OF ONE FLOATING PILEDRIVER FOR A PERIOD OF APPROXIMATELY SIX MONTHS

<u>Bidder</u>	<u>Per Month</u>	<u>Certified Check</u>
Frank Legg	\$ 800.00	\$ 480.00
Walter P. Koetitz	400.00	240.00
Realy Tibbitts Construction Co.	545.00	450.00
M. B. McGowan	888.00	600.00

These bids were referred to the Port Attorney as to legality and the Port Manager for recommendation as to acceptance of the bids.

ADJOURNED.

  
SECRETARY

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

of the

PORT OF OAKLAND

Held on Monday, June 27, 1938, at the hour of 3:30 p.m., in the office of the Board, Room 75, Grove Street Pier, due written notice of such meeting having been given members of the Board.

Commissioners present: Colbourn, Fisher, and President McElroy -3-

Commissioners absent: Pardee, and Roland on leave. -2-

The Port Manager, Port Attorney, and Assistant Chief Engineer were also present.

The minutes of the regular meeting of June 20, 1938 were approved, as read, and adopted.

Communication from Hill & Morton, Inc., requesting permission to construct at its own cost for materials, a 12' x 14' addition to its office at Dennison Street Wharf, same to become the property of the Port upon completion, was read and the Port Manager stated that the office addition would

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be erected by Works Progress Administration labor and that no expense for this improvement, other than supervision, would devolve on the Port. A resolution was later passed granting the request..

Communication from the Port Manager recommending that a one year's lease be entered into with A. C. Moe for use of space on Clinton Basin at Ninth Avenue Terminal for handling of building materials, was read, and the Port Attorney directed to prepare an agreement for occupancy of the area along the lines as set forth in the Port Manager's communication.

Communication from the Port Manager recommending that a one year lease be entered into with Harold R. Fish for boat building yard in Brooklyn Basin at a monthly rental of \$35.00, with provision for payment of past due rental since July 1, 1936, at \$35.00 per month, was read, the recommendations approved, and the Port Attorney directed to prepare an agreement with Harold R. Fish in accordance therewith.

Communication from L. Stevens, Port Traffic Auditing Clerk, requesting fifty days leave of absence on account of illness, was read and the Port Manager stated that Mr. Stevens had been in the employ of the City and Port since 1923 and recommended that the request be granted. A resolution was later passed granting leave as requested, with three quarters pay, in accordance with the rules of the Civil Service Board.

Communication from the Pacific Gas & Electric Co. requesting approval of its application for construction of two reinforced concrete substations 38' x 42' and 43' x 90', located at the westerly end of the Key Route Mole, which are to be used in supplying power for operation of the bridge railway, was read and resolution later passed approving the application.

Communication from the Port Manager recommending advertising for bids for concrete aggregates and cement required for continuing construction of concrete taxiway at Oakland Municipal Airport following July 1, 1938, was read and resolution later passed adopting specifications and authorizing the call for bids for four thousand barrels of cement and five thousand tons of concrete aggregates to be delivered to the Airport.

Communication from the Universal Scaffolding Co. advising it is the owner of the equipment used in the construction of the grandstands and pylons at the Oakland Municipal Airport, and agreeing to remove same from the Airport, together with letter from Earle Wright, Executive Secretary of the International Air Race Association, advising they have no interest in the grandstand and pylon equipment claimed by the Universal Scaffolding Co., was filed. The Port Manager stated that the Universal Scaffolding Co. had already started the dismantling and

removal of the grandstands, and that efforts were now being made to cause the removal of the fencing and other miscellaneous equipment installed by Mr. Atkinson, the contractor employed by the Air Race Association.

Copy of report of the City Manager on affairs of the City of Oakland for the month of May, 1938, was filed.

The Port Manager called the Board's attention to the \$1,125,000 grant which the Public Works Administration had made to Alameda for the construction of a railroad tube under the Estuary at the foot of Cypress Street. It was recalled that about two years ago, when Alameda was seeking an outlet to the San Francisco-Oakland Bay Bridge, an application had been made to the Public Works Administration for a grant to assist in financing the project and that this request had lain dormant in Washington until this time. Press reports <sup>were noted</sup> to the effect that Alameda is now contemplating a bridge across the Estuary somewhere between Webster and Main Streets, it having determined that a railroad tube at Cypress Street would not fulfill, in its estimation, the demands of traffic. It was further stated that efforts were being made by Alameda to have the State Highway Department make a thorough survey of the projected bridge and endeavor is being made to have the Public Works Administration earmark the million and a quarter dollars, which was granted, so that it could be transferred to such other project as might be determined.

It was recalled that at the Board's meeting of April 19, 1937, Resolution No. 4147 had been passed setting forth the clearance which the Board felt would be necessary for a bridge crossing the Estuary and stating preference for the construction of a tube instead of a bridge. It was the consensus of the Board that every effort should be made to oppose construction of any bridge structure which would, in any way, handicap or become a menace to the shipping of the Port. The Port Manager stated that the entire matter of construction of a bridge across the Estuary had been discussed with Mr. Harold Weber, General Manager of the Oakland Chamber of Commerce, and Mr. Otto Fischer, Chairman of the Harbor Committee of the Chamber, and that they were heartily in accord with the Board's position in this matter.

The Port Attorney reported that the American Dredging Co. brief on appeal will be filed this week, and that this case may settle remaining issues with American Dredging Company as to termination of its lease on June 30, 1938.

The Port Attorney reported that the Crowley Launch & Tugboat Company, E. K. Wood Lumber Co. and Union Diesel Engine Company had signed stipulations tolling the statutes of limitations in the matter of their proposed leases in Brooklyn Basin area. These signed stipulations were ordered filed. The Port Attorney further reported that Mr. Ira Abraham, Attorney for the American

Dredging Company, had advised him that they would also sign the stipulation in this matter prior to June 30.

It was reported that the Maritime Commission had held a hearing on June 24 relative to the rule of Intercoastal Carriers to permit the elimination of joint through service to Sacramento in emergencies, and that this hearing had been attended by the Port Attorney and Port Traffic Manager. Memorandum report of the hearing, as prepared by the Port Traffic Manager, was filed. The Port Attorney stated that this case may reopen the issue relative to joint through rates to shallow water ports.

After the hearing had been completed, the Maritime Commission Examiner, Mr. C. O. Arthur, visited the Port and the City of Oakland in company with the Port Attorney and Port Traffic Manager and he stated that he, as well as the other representatives of the Maritime Commission, was very much interested in the development of the Port of Oakland, and after viewing the Port, Mr. Arthur expressed considerable amazement at the development which had been accomplished, and the possibilities for future growth which were presented by the Port.

The Port Attorney stated that Judge Donahue, Counsel for the Atlas Imperial Diesel Engine Company, had finally approved the form of proposed lease which had been submitted to him and which is to be awarded on public bidding.

The Port Attorney stated that he had been advised that the Supreme Court of the United States had granted a stay of execution in New York Port Authority case to lay basis for rehearing.

The Port Manager stated that conference had been held during the past week with Lim Sing, agent of Allen Lamb, alleged owner of the ferry boat Golden Gate, and George Renner, contractor, and as a result of this conference a written bid of one thousand dollars had been made by Mr. Renner to Lim Sing for the removal of the ferry boat and that this offer had been transmitted to Mr. Lamb in Los Angeles for acceptance. The Port Manager stated that he expected a further conference on the matter of removal of the ferry boat during the coming week.

It was reported that the airplane, which was constructed by the Alcor Airplane Co. at the Airport, crashed into San Francisco Bay off the Airport at about eleven a. m., June 27, and was a total loss, but that Pilot Casserly and Observer Harold Webb bailed out and were saved.

From press reports it was noted that the Public Works Administration had granted Alameda County \$329,400 to apply on the construction of a new High Street bridge, and that the construction of the new bridge would undoubtedly be undertaken in the near future.

It was reported that the National Labor Board, in precedent setting

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ruling, had named Harry Bridges, I.L.W.U. as sole bargaining agency for all Pacific coast ports.

The Port Manager stated that the Navy had requested berthing space at the Grove Street Pier for the U. S. Cruiser Milwaukee during the period July 18 to 20, and that arrangements had been made for the berthing of this vessel.

The Port Manager stated that the Works Progress Administration had presented the Board with a bronze plaque market which is to be placed at the various Works Progress Administration projects when completed, but that it appeared to be impractical to place this plaque on projects, such as paving or roadways and the like.

Inasmuch as the Board's next regular meeting would fall on July 4, a holiday, it was determined that its next meeting would be held on July 7, 1938.

The Port Manager reported as follows on the status of certain funds as of June 24, 1938:

<u>Harbor Maintenance and Improvement Fund (No. 226)</u>	
Unencumbered Cash Balance as of June 24, 1938.....	\$57,436.28
Set up in Special Funds 220 and 222 .....	95,000.00
Total Unencumbered Cash in all revenue funds as of June 24, 1938 .....	152,436.28
Total Unencumbered Cash in all revenue funds as of May 31, 1938 .....	139,859.18
<u>1925 Oakland Harbor Improvement Fund (No. 567)</u>	
Cash Balance as of June 24, 1938 .....	216,920.15

The report of the Port Manager submitting tonnage statistics for the month of May, 1938, was filed.

The report of the Port Attorney relative to award by State Industrial Accident Commission on claim of Fred Ruppert, Carpenter, employed by the Port, was filed. The Port Attorney reviewed the award of the Industrial Accident Commission, stating that Mr. Ruppert was suffering from disability of  $73\frac{1}{4}\%$ , which entitles him to 240 weeks' compensation at \$25.00 a week, or a total of \$6,000 of which \$1700 has been paid to date. He further stated that he considered the award as satisfactory, as there was no question as to the compensable nature of the injuries which have disabled Mr. Ruppert, and that three physicians, representing the City, had agreed that there had been permanent injury received.

The report of the Auditing Committee on claims and demands was adopted.

The following resolutions were introduced and passed by the following vote:

AYES: Commissioners Colbourn, Fisher and President McElroy -3-

NOES: None

ABSENT: Commissioners Pardee and Roland -2-

"RESOLUTION NO. 4709

RESOLUTION APPROVING AND ALLOWING  
CERTAIN CLAIMS AND DEMANDS.

RESOLVED: That the following claims and demands, having been approved by the Auditing Committee, be and the same are hereby approved and allowed by the Board of Port Commissioners and the Auditor is authorized to draw his warrant for the same out of the proper Fund:

LEASED WHARF IMPROVEMENT FUND:	
Howard Terminal	\$ 3,262.34
Sunset Lumber Company	10.49
HARBOR MAINTENANCE AND IMPROVEMENT FUND:	
Allis-Chalmers Manufacturing Company	4.99
American Brass & Copper Co.	3.96
The American Rubber Manufacturing Co.	47.31
Arco Company of California, Ltd.	10.71
Baker, Hamilton & Pacific Company	11.20
Bates & Rogers Construction Corporation	436.15
Bay City Iron Works	2.58
Bay City Sanitary Rag Co.	6.06
Geo. R. Borrmann Steel Company	3.14
Calaveras Cement Company	446.75
Chanslor & Lyon Stores Inc.	3.54
City of Oakland, Street Department	766.75
Cochran & Celli	1.95
Colyear Motor Sales Company	26.63
Dearborn Chemical Company	11.73
East Bay Glass Company	8.07
Edmonds & Bonnington	20.09
The Electric Corporation	20.68
The A. J. Glesener Co.	7.37
Greenwood Printers Ltd.	88.58
Hill & Morton, Inc.	152.33
Horn Products Company	15.14
The Inter-City Printing Co.	22.66
E. & R. James Co.	3.50
The Kinnear Manufacturing Co.	163.88
Geo. E. Kreplin Co.	10.83
Libby, McNeill & Libby	17.89
The Marine Exchange of the San Francisco Chamber of Commerce	10.00
C. W. Marwedel	4.40
Melrose Lumber & Supply Co.	15.74
C. L. Moody Brish Co.	7.58
National Lead Company	25.40
Oakland Plumbing Supply Co.	56.54
Oakland Sheet Metal Supply Co.	11.97
Pacific Coast Aggregates, Inc.	63.92
Pacific Gas and Electric Company	860.97
The Pacific Telephone and Telegraph Company	19.88
Pacific Tool and Supply Company	15.62
Phoenix Iron Works	61.80
Rio Grande Oil, Inc.	129.40
Schirmacher Co.	4.05
H. G. Scovern & Co.	6.06
Sentinel Sanitary Supply Company	10.00
Shields, Harper & Co.	4.03
B. Simon Hardware Co.	6.83
Simonds Machinery Co.	15.75
Smith Brothers	32.45
Standard Fence Company	.46
Strable Hardwood Company	17.39
Tide Water Associated Oil Company	12.32
James E. Townsend	83.95
Transit Concrete	25.02
The Tribune Publishing Co.	23.60
Underwood Elliott Fisher Company	11.50
Westinghouse Electric Elevator Company	455.73
White Investment Company	50.00
J. S. Saunders	6.33
American Concrete and Steel Pipe Co.	548.10
Lee J. Imnel	152.43
	<hr/> \$8,336.52. "

"RESOLUTION NO. 4710

RESOLUTION AWARDING CONTRACT  
FOR FURNISHING AND DELIVERING  
TIMBERS TO STORAGE AREA IN  
REAR OF WHARF AT FOOT OF  
FREDERICK STREET EXTENDED.

BE IT RESOLVED that the contract for the furnishing and delivering of timbers to storage area immediately in rear of wharf at the foot of Frederick Street Extended, Oakland, be and the same is hereby awarded to E. K. Wood Lumber Company, a corporation, as the lowest responsible bidder, in accordance with the terms of its bid, filed June 20, 1938.

BE IT FURTHER RESOLVED that, pursuant to the specifications, the certified check accompanying said bid shall be held as bond as a guarantee of the furnishing and delivering of said material. At and upon such delivery, said certified check shall be returned to said Company.

BE IT FURTHER RESOLVED that the other bids received for said contract be and they are hereby rejected and the checks accompanying same shall be returned to the proper persons."

"RESOLUTION NO. 4711

RESOLUTION AWARDING CONTRACT  
TO WALTER P. KOETITZ FOR  
RENTAL OF ONE FLOATING PILEDRIVER.

RESOLVED that the contract for the furnishing, on a rental basis, of one floating piledriver for use in reconditioning wharf at the foot of Frederick Street Extended, Oakland, be and the same is hereby awarded to WALTER P. KOETITZ, as the lowest responsible bidder, in accordance with the terms of his bid, filed June 20, 1938.

BE IT FURTHER RESOLVED that, pursuant to the specifications, the certified check accompanying said bid shall be held as bond as a guarantee of the furnishing of said piledriver. At and upon the faithful performance of this contract, said certified check shall be returned to said bidder.

BE IT FURTHER RESOLVED that the other bids received for said contract be and they are hereby rejected and the checks accompanying same shall be returned to the proper persons."

"RESOLUTION NO. 4712

RESOLUTION APPROVING APPLICATION OF  
PACIFIC GAS & ELECTRIC COMPANY TO  
CONSTRUCT SUBSTATIONS.

RESOLVED that the applications of Pacific Gas & Electric Company, a corporation, for permission to construct two (2) substation buildings at the outer end of the Key Route Mole, City of Oakland, upon State property, one being of an approximate area of 38' by 42' at an estimated cost of \$15,000 and the other being of an approximate area of 43' by 90' at an estimated cost of \$40,000, having been approved by the Chief Engineer of the Port, be and the same are hereby approved by this Board and permission therefor is hereby granted."

"RESOLUTION NO. 4713

RESOLUTION GRANTING PERMISSION TO  
HILL & MORTON, INC. TO CONSTRUCT  
OFFICE ADDITION.

RESOLVED that pursuant to its request for permission to do so, Hill & Morton, Inc. is hereby granted permission to construct an addition (approximately 12' by 14' in area) to its office structure at Dennison Street wharf upon the condition that the lumber and material for such addition shall be supplied entirely at the expense of the applicant, and that such structure shall upon its completion forthwith be and become the property of the City of Oakland."

"RESOLUTION NO. 4714

RESOLUTION AUTHORIZING AGREEMENT  
WITH AMERICAN DREDGING COMPANY,  
a corporation.

BE IT RESOLVED that the President of this Board be and he is hereby authorized to sign an agreement with American Dredging Company, a corporation, whereby it shall be agreed, in substance, that in consideration of the promise of the Board not to sue prior to July 1, 1938 for sums alleged to be due for the occupancy of certain Brooklyn Basin lands, said corporation shall agree not to plead the Statute of Limitations to any action that the Board may bring between that date and a day 60 days after the final decision of the appellate courts in the pending appeal in the condemnation case wherein the City of Oakland is plaintiff and said corporation is one of the defendants."

"RESOLUTION NO. 4715

RESOLUTION ADOPTING PLANS AND  
SPECIFICATIONS FOR FURNISHING  
CEMENT AND CONCRETE AGGREGATES  
TO OAKLAND MUNICIPAL AIRPORT.

RESOLVED that the specifications and other provisions relative thereto filed with the Board for the furnishing and delivering of 4,000 barrels of cement and 5,000 tons of concrete aggregates to the Oakland Municipal Airport, and the manner of payment therefor, be and the same are hereby approved.

BE IT FURTHER RESOLVED that the Secretary be authorized to advertise for five consecutive days in the official newspaper for sealed proposals for the work contemplated and supplies to be furnished, as required by law."

"RESOLUTION NO. 4716

RESOLUTION EXTENDING TIME  
FOR PERFORMANCE OF CONTRACT  
WITH L. M. CLOUGH CO., a  
co-partnership.

RESOLVED that the time for the performance of the contract with L. M. Clough Co., a copartnership, for the furnishing and delivering of crusher run rock for base course, macadam rock and screenings for surfacing, and road oil for the construction of oil macadam pavement to Ninth Avenue Terminal, Oakland, be and the same is hereby extended to and including August 29, 1938."

"RESOLUTION NO. 4717

RESOLUTION GRANTING LEAVE OF  
ABSENCE WITH PAY TO L. STEVENS,  
PORT TRAFFIC AUDITING CLERK.

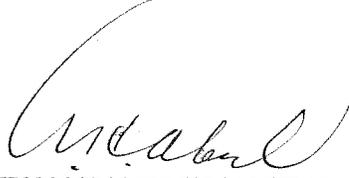
RESOLVED that L. Stevens, Port Traffic Auditing Clerk, (Port Ordinance No. 222, Section 7.11), is hereby granted a leave of absence on account of illness, said leave to be for a period of 50 days commencing July 13, 1938, with compensation at the rate of 75% of the salary payable such employe, as provided by the rules of the Civil Service Board."

Port Ordinance No. 286 being "AN ORDINANCE AMENDING VARIOUS ITEMS OF PORT ORDINANCE NO. 60, ADDING CERTAIN ITEMS THERETO, AND REPEALING OTHER ITEMS THEREOF" having been duly introduced, read and published, was finally adopted by the following vote:

- AYES: Commissioners Colbourn, Fisher and President McElroy -3-
- NOES: None
- ABSENT: Commissioners Pardee and Roland -2-

The Board gave careful consideration to communication from City Manager J. F. Hassler, which was presented at its last meeting and which requested a contribution of \$25,000 to the City Council. After reviewing the state of its revenues for the current fiscal year and the expenditures which are required to be made for much needed improvements under Works Progress Administration projects, as well as maintenance work which would be required to be carried on, the Board directed the Port Manager to advise Mr. Hassler that it finds it will not be in position to contribute to the City Council the funds requested. A draft of the Port Manager's reply to the City Manager was read and approved.

ADJOURNED.

  
SECRETARY

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

of the

PORT OF OAKLAND

Held on Thursday, July 7, 1938, at the hour of 4:00 p.m., due written notice of such meeting having been given members of the Board.

Commissioners present: Colbourn, Fisher and President McElroy -3-

Commissioners absent: Pardee, and Roland on leave -2-

The Port Manager and Port Attorney were also present.

The minutes of the regular meeting of June 27, 1938 were approved, as read, and adopted.

Communication from W. W. Chappell, City Clerk, transmitting invitation to the Board to meet with the Council of the City of Oakland on Tuesday, July 5, to discuss the matter of making contribution of \$25,000 to the General Fund of the City, was filed. A memorandum of the conference with the City Council on July 5, 1938, which was attended by President McElroy and Commissioners Colbourn and Fisher, together with the Port Manager and Port Attorney, was filed.

Communication from the Port Manager, submitting statement showing resources available for Port operation and maintenance and for the carrying out of proposed construction program for the fiscal year 1938-1939, as requested by the City Council at conference held July 5, 1938, was read, and the Secretary directed to transmit copies of this letter and statement to

the Mayor, City Manager and members of the Council in fulfillment of request made by them at the conference of July 5. In this connection, a memorandum showing the percentage of net earned income of the Port which has been contributed to the General Fund of the City of Oakland in the past and which showed that the cash contributions amounted to 4.92% of the net earnings, and that the total contributions, including improvements such as the new garbage wharf, Hegenberger Road, Maritime Street, and the road leading to Ninth Avenue Pier, which ordinarily should have been constructed by the City, but which were improved by the Board at a cost of \$231,304.06, amounted to 19.16% of the total net revenue, was filed.

Communication from the Port Manager, dated July 1, setting forth requirements for Port construction program for the fiscal year 1938-1939, was filed.

The Port Manager reported that the Harbor Committee of the Oakland Chamber of Commerce had invited City Manager Chas. Schwanenberg of Alameda to a conference to be held at 4:00 p.m., July 15, at the office of the Chamber for a discussion of the Alameda transportation problem, and especially in respect to the proposed crossing of the Inner Harbor. He further reported that Mr. Otto Fischer, Chairman of the Harbor Committee had extended an invitation to President McElroy to be present at this conference.

The reports of the Auditing Committee on weekly payrolls, and on claims and demands, were adopted.

The following resolutions were introduced and passed by the following vote:-

- AYES: Commissioners Colbourn, Fisher and President McElroy -3-
- NOES: None
- ABSENT: Commissioners Pardee and Roland -2-

"RESOLUTION NO. 4718

RESOLUTION APPROVING WEEKLY PAYROLLS,  
RATIFYING ALL HIRINGS AND  
EMPLOYMENTS THEREIN AND REIMBURSING  
PORT REVOLVING FUND.

BE IT RESOLVED that the weekly payrolls for the weeks ending June 31 and June 28, 1938 be and the same are hereby approved and the hiring or employment of each and all of the services therein set forth at the compensations therein paid is hereby ratified, confirmed and approved, and

BE IT FURTHER RESOLVED that the demand against the Harbor Maintenance and Improvement Fund for the reimbursement of the Port Revolving Fund in the amount set forth therein, having been approved by the Auditing Committee, is hereby approved and allowed, and the City Auditor be and he is hereby authorized and directed to draw his warrant for the same and make such reimbursement.

HARBOR MAINTENANCE AND IMPROVEMENT FUND:  
Port Revolving Fund Payrolls - \$1,673.50."

"RESOLUTION NO. 4719

RESOLUTION APPROVING AND ALLOWING  
CERTAIN CLAIMS AND DEMANDS.

6070

RESOLVED: That the following claims and demands, having been approved by the Auditing Committee, be and the same are hereby approved and allowed by the Board of Port Commissioners and the Auditor is authorized to draw his warrant for the same out of the proper Fund:

HARBOR MAINTENANCE AND IMPROVEMENT FUND:

Air Reduction Sales Co.	\$	15.56
Arco Company of California, Ltd.		10.71
Associated Stationers		18.88
Baker, Hamilton & Pacific Company		1.39
Bay City Sanitary Rag Co.		12.12
Blake, Moffitt & Towne		6.91
Geo. R. Borrmann Steel Company		1.98
Calaveras Cement Company	1,172.71	
California Pottery Company		30.46
City of Oakland, City Hall		391.44
Cochran and Celli		18.31
Columbia Wood and Metal Preservative Co.		42.49
Colyear Motor Sales Company		18.96
Down Town Battery & Electric Co., Inc.		45.42
DuFrane Machine & Engine Works, Inc.		6.50
East Bay Glass Company		10.32
East Bay Municipal Utility District		487.00
The Electric Corporation		65.03
Fairbanks, Morse & Co.		57.31
The Gerrard Company, Inc.		75.15
The A. J. Glesener Co.		12.73
The Glidden Company		7.14
Greenwood Printers Ltd.		34.25
H. & M. C. Co.		6.70
Harvey Hanson		36.05
Healy-Tibbitts Construction Co.		449.99
Hersey Manufacturing Company		.81
Hockwald Chemical Company		14.02
Industrial Equipment Company		3.09
The Inter-City Printing Co.		5.15
E. & R. James Co.		9.91
Kellogg Express & Draing Co.		.70
The Kinnear Manufacturing Co. of California		10.51
Kling-Dawers Stationery Co., Inc.		1.41
Geo. A. Kreplin Co.		4.04
Lahe Spring and Tire Service		16.77
Laird's Stationery		3.23
Libby, McNeill & Libby		12.57
Maxwell Wholesale Hardware Company		109.97
Melrose Lumber & Supply Co.		88.71
National Lead Company		120.68
Oakland Air Port Transportation Service		200.00
Oakland Foreign Trade and Harbor Club		125.00
Oakland Plumbing Supply Co.		13.88
Pacific Tool and Supply Company		16.18
Peterson Tractor & Equipment Co.		19.21
Postmaster, Oakland		90.12
Rhodes & Jamieson, Ltd.		46.44
Richfield Oil Corporation		6.40
Rio Grande Oil, Inc.		244.16
Schirmacher Co.		.82
Sentinel Sanitary Supply Company		14.44
Signode Steel Strapping Co.		140.99
B. Simon Hardware Co.		7.89
Smith Brothers		21.96
Southern Pacific Company		13.00
Sterling Press		3.03
Joe Stern		15.45
Strable Hardwood Company		2.42
Straub Manufacturing Co., Inc.		.50
Tide Water Aassociated Oil Company		12.32
Transit Concrete		24.78
The Tribune Publishing Co.		2.42
Western Iron and Metal Co.		5.05
The Western Union Telegraph Company		2.50
E. K. Wood Lumber Co.		29.37
Zellerbach Paper Company		12.72

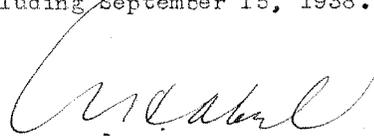
Geo. A. Attwood	32.37
California Wire Cloth Company	3,141.36
Port Revolving Fund - Misc.	263.09
Southern Pacific Company	8.37
Thos. H. Moore	11.55
Harold Wiltermood	27.09
R. N. Ricketts	5.61
Geo. H. Nash	61.10
A. C. Meadows	21.19
Payrolls - Airport	860.00
" - Administrative Department	2,142.50
" - Engineering Department	2,226.00
" -Grove and Market Street Piers	1,677.05
" - Maintenance Department	3,415.85
" - Ninth Avenue Pier	690.24
" - Outer Harbor Terminal	5,274.07
" - Traffic Department	1,392.50
	<hr/>
	\$25,758.07"

"RESOLUTION NO. 4720

RESOLUTION EXTENDING TIME  
FOR PERFORMANCE OF CONTRACT  
WITH LEE J. IMMEL.

RESOLVED that the time for the performance of the contract with Lee J. Immel for the placing of concrete pipe and appurtenances across the Key Route Mole in Oakland Outer Harbor, Oakland, be and the same is hereby extended to and including September 15, 1938."

ADJOURNED.

  
\_\_\_\_\_  
SECRETARY

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS  
of the  
PORT OF OAKLAND

Held on Monday, July 11, 1938 at the hour of 3:30 p.m., in the office of the Board, Room 75, Grove Street Pier, due written notice of such meeting having been given members of the Board.

Commissioners present: Colbourn, Fisher and President McElroy -3-  
Commissioners absent: Pardee, and Roland on leave -2-

The Port Manager, Port Attorney, and Assistant Chief Engineer were also present.

The minutes of the regular meeting of July 7, 1938 were approved, as read, and adopted.

Communication from Geo. M. Robinson & Co., contractor for installation of Sprinkler System at Ninth Avenue Pier, requesting extension of time to August 1, 1938 in which to complete contract, was read and resolution later passed granting extension as requested.

Communication from City Manager, J. P. Hassler, advising that the City Council has considered the statement submitted to it by the Board on July 7, and stating that the entire Council is of the opinion that a contribution of \$25,000 should be made to the City's General Fund at this time, was read and consideration deferred until a future meeting of the Board when all members would be present. The Secretary was directed to acknowledge receipt of the City Manager's letter and advise him that the matter would be given further consideration.

Communication from the Mid-Columbia Chamber of Commerce, extending invitation to attend on July 9, 1938 the opening of the Bonneville ship locks and the dedication of the Port of The Dalles, Oregon, located two hundred miles from the Pacific Ocean on the Columbia River, was filed.

Communication from the Port Manager, advising that the unpaid account of the Bay Cities Transportation Co., in the amount of \$3378.82, has now been balanced by Port Revolving Fund checks for services rendered by it, which have been held by the Port, and recommending that these checks be canceled and the Bay Cities Transportation Co.'s account credited, was read and the Port Manager directed to address a communication to the Bay Cities Transportation Co. advising that inasmuch as its past due account has not been settled, it is the intention of the Board to cancel these checks and credit its unpaid account.

Communication from the Port Manager, submitting program for advertising and publicity for the fiscal year 1938-1939, as recommended by the Port Publicity Representative, was read and authority granted to carry out the program as recommended.

Communication from the Western Pacific Railroad Co., requesting permission to alter and reconstruct a portion of its wharf shed at its Oakland Mole at a cost of \$3904.00, was read and resolution later passed granting its request.

Communication from Captain F. B. Butler, Acting District Engineer, giving public notice of Federal Government's intention to construct a timber pile wharf 20' x 782' at Government Island, Alameda, for berthing of Coast Guard boats, was filed.

Communication from U. H. Skeggs, District Engineer, State Highway Department, advising as to signs needed at Maritime Street overpass connection to the Bay Bridge and stating that the State cannot expend its funds for this purpose, was filed. In this connection, the Port Manager stated that he had requested the California Automobile Association to submit a

quotation covering the cost of the signs, as recommended by the State Highway Department, and that he would report the quotation to the Board at an early meeting.

Communication from the Port Manager, presenting request of W. R. Chamberlin & Co. for reduction in storage charges on their lumber stored at Ninth Avenue Terminal during the last CIO-AFL strike and recommending 50% reduction in their bill, was read and recommendation of the Port Manager adopted.

Communication from J. A. Herlihy, Director of Engineering, United Air Lines, advising as to their requirements for shops at the Oakland Municipal Airport, was filed. In this connection, the Port Manager stated that Mr. J. D. Crichton, Building Engineer for the United Air Lines, had arrived in Oakland and was engaged with the Port's Engineering Staff in furthering the layout plans for the proposed shops.

Communication from John J. Donovan, Architect, complimenting the Board on the high standard maintained in the Port Organ "The Compass," was filed.

Communication from the Standard Oil Company, requesting permission to install three 1000-gallon underground gasoline tanks, together with pumping equipment at the Oakland Municipal Airport to serve their patrons, was read and the Port Manager directed to advise the Standard Oil Company that permission would be granted it for the installation of its equipment, as requested.

Communication from M. C. Gale, President of the Oakland Junior Chamber of Commerce, extending the Chamber's thanks to the Board for its cooperation during the 19th Annual Convention of the U. S. Junior Chamber of Commerce which has just been completed, was filed.

Communication from the International Air Race Association of America, expressing belated appreciation to the Board for assistance and cooperation during the Pacific International Air Races which were held at the Oakland Municipal Airport on May 28, 29 and 30, 1938, was filed.

Communication from the Pacific Gas & Electric Co., requesting permission to install underground electric cable ducts at intersection of Twenty-second Street and Maritime Street, was read and resolution later passed granting permission as requested.

Communications from C. E. Atkinson and Markus Hardware Co., asserting claim of ownership to lumber and fencing materials at the Air Race Course at the Oakland Municipal Airport, were filed.

Communication from Earle Wright, Executive Secretary, Pacific



Bay, and that after the review, the President will leave the Houston at Outer Harbor and entrain at the dock for a trip to Yosemite. The Port Manager further reported that flag decorations were being placed at the Fourteenth Street entrance to the Terminal where the Houston will be docked.

The Port Manager submitted a memorandum relative to proposed lease for about two acres of Brooklyn Basin area adjoining the Smith Lumber Co. dock to be used as a lumber finishing plant by Mr. Mazurette. A plan for the proposed plant, as submitted by Mr. Mazurette, was submitted and it was shown that the proposed East Shore Highway and Embarcadero would require certain changes to be made in the plan. The Port Manager was directed to further negotiate with Mr. Mazurette and the Smith Lumber Co. in an endeavor to work out an arrangement that would be satisfactory to them for the location of this plant and report thereon at a future meeting.

The Port Attorney reported that action was filed on June 30, 1938, for back rental against the Ford Motor Co., Standard Gas Engine Co., M. A. Luce, Motorail Co., and Wm. E. Cryer and Son, the latter being represented by Attorney Wm. Wells.

The Port Attorney reported that the opening brief on appeal in the American Dredging Co. condemnation case was duly filed on June 30, 1938.

The Port Attorney reported that Judge Donahoe, Attorney for the Atlas Imperial Diesel Engine Company, had approved the form of the lease, as submitted. The form of lease and notice inviting bids were submitted and filed, and the Secretary directed to call for bids to be received at the meeting of the Board on July 18.

The Port Attorney reported that the Oakland Title & Insurance Guaranty Co. had advised that matters were at last cleared up in respect to the Stone-Fontana issues and that title to triangular parcel of land may be cleared during the week.

Executed agreements duly extending the time within which the Board might institute legal action for the recovery of compensation or rent for use and occupation of properties in the Brooklyn Basin areas since July 1, 1936, having been filed on behalf of the American Dredging Company, General Engineering & Drydock Company, E. K. Wood Lumber Company, Pacific Drydock & Repair Company, successors to Crowley Launch and Tugboat Company, and Union Diesel Engine Co. prior to June 30, 1938 were received by the Board. The Port Attorney reported that these documents having been filed with the Board prior to June 30, as the Board members had been previously advised, legal action, as contemplated, had not been instituted against the said occupants, but that as no similar agreements were entered into or filed by Standard Gas Engine Company, Ford Motor Company, Anglo California National

Bank of San Francisco, M. A. Luce, Motorail Company, William Cryer, or William J. Cryer appropriate action was filed against them on June 30, 1938. He reported that attorney William Wells had advised that he would represent defendant William Cryer & Son.

It was reported that the Harbor Committee of the Oakland Chamber of Commerce held a meeting on July 8 at which City Manager Chas. Schwanenberg of Alameda discussed the transportation problem of Alameda and stated that the State Highway Department had been requested to make a complete survey of the possibility of constructing a low level bascule type bridge across the Inner Harbor at approximately Webster Street. Suggestions were made to Mr. Schwanenberg that a tube be substituted for the bridge inasmuch as any bridge, other than a high level bridge, would be a distinct detriment to the harbor. It was further reported that a committee of five had been appointed by Mr. Otto Fischer, Chairman of the Harbor Committee, and that President McElroy had been named as its Chairman, to meet with a committee representing Alameda for a further discussion of the matter.

The Port Manager reported that the Port of Los Angeles had increased its wharfage rates, effective in about forty days, and that other southern ports are arranging to advance their rates. It was further reported that the Traffic Manager of the Port of Los Angeles was inspecting the Port of Oakland and studying its method of dock operations, which Mr. Cronkhite, Traffic Manager stated he considered very efficient.

The Board requested the Port Manager to invite Congressman Tolan to its next meeting for a conference in respect to the Naval Supply Base matter.

The Port Manager reported that the Case Construction Co., which had made an offer for lease of the Port dredge, and was accepted by the Port, now advises it has purchased the dredge "OLYMPIA" and will not lease the Port dredge.

In respect to the removal of the ferry boat Golden Gate, the Port Manager reported that he would further confer with Lim Sing, the representative of the owner, during the week and would report progress at the next Board meeting.

Excerpt from an address given by George Marshall, U. S. Deputy Customs Collector, to the Oakland Foreign Trade and Harbor Club relative to the future of the Port of Oakland, was filed.

The Port Manager reported that Lt. Commander W. S. Cunningham is now in charge of the U. S. Naval Reserve Aviation Base at the Oakland Municipal Airport, having taken over the command from Lt. Commander V. S. Ragsdale.

The Port Manager reported that from press reports the President had appointed the following members to the new Civil Aeronautics Authority:

Harlee Branch of Georgia to be Vice-President; G. Grant Mason of the district of Columbia; Robert Hinckley of Utah; Oswald Ryan of Indiana; and Clinton M. Hester of Montana who is to be Administrator for the Authority.

The Port Manager reported that Howard Hughes had spanned the Atlantic from New York to Paris in sixteen hours and thirty-seven minutes, and that this is the first New York to Paris flight since Colonel Lindbergh's epochal flight in 1927 when he crossed the Atlantic in thirty three hours.

The Port Manager reported as follows on the status of certain funds as of July 8, 1938:

<u>Harbor Maintenance and Improvement Fund (No. 226)</u>	
Unencumbered Cash Balance as of July 8, 1938.....	\$58,195.43
Set up in Special Funds 220 and 222 .....	95,000.00
Total Unencumbered Cash in all revenue funds	
as of July 8, 1938 .....	153,195.43
Total Unencumbered Cash in all revenue funds	
as of June 30, 1938.....	41,864.39

<u>1925 Oakland Harbor Improvement Fund (No. 567)</u>	
Cash Balance as of July 8, 1938.....	215,035.00

The report of the Port Manager submitting comparative statement of condition of Harbor Maintenance and Improvement Fund No. 226, as prepared by the Chief Port Accountant, was filed.

The report of the Port Manager of operations of the Oakland Municipal Airport for the month of June 1938, showing average of 103.3 planes hangared, was filed.

The report of the Port Manager submitting comparative statement of accounts receivable for the month of May and June, 1938, was filed.

The report of the Port Manager on progress of the Port for the month of June, 1938, was filed.

The report of the Auditing Committee on claims and demands was adopted.

The following resolutions were introduced and passed by the following vote:

AYES: Commissioners Colbourn, Fisher, and President McElroy -3-

NOES: None

ABSENT: Commissioners Fardee, and Roland. -2-

"RESOLUTION NO. 4721

RESOLUTION APPROVING AND ALLOWING  
CERTAIN CLAIMS AND DEMANDS.

RESOLVED: That the following claims and demands, having been approved by the Auditing Committee, be and the same are hereby approved and allowed by the Board of Port Commissioners and the Auditor is authorized to draw his warrant for the same out of the proper Fund:

HARBOR MAINTENANCE AND IMPROVEMENT FUND:	
State Board of Equalization	\$ 4.77
1925 OAKLAND HARBOR IMPROVEMENT BOND FUND:	
Geo. M. Robinson & Company	2,055.86
Healy-Tibbitts Construction Co.	<u>3,771.56</u>
	\$5,832.19"

100

"RESOLUTION NO. 4722

RESOLUTION AUTHORIZING THE  
WESTERN PACIFIC RAILROAD  
COMPANY TO RECONSTRUCT WHARF SHED.

BE IT RESOLVED that the plans submitted by The Western Pacific Railroad Company, together with the request for permission to alter and reconstruct a portion of its 40 x 300 foot wharf shed at Western Pacific Mole, in accordance with Port Ordinance No. 103, be and the same are hereby approved and granted at the sole risk and expense of applicant."

"RESOLUTION NO. 4723

RESOLUTION CREATING POSITION  
OF JANITOR.

RESOLVED that there is hereby created one temporary position of Janitor at a salary of \$100 per month, for vacation relief."

"RESOLUTION NO. 4724

RESOLUTION EXTENDING TIME FOR  
PERFORMANCE OF CONTRACT WITH  
GEO. M. ROBINSON, AN INDIVIDUAL,  
DOING BUSINESS UNDER THE STYLE  
OF GEO. M. ROBINSON & CO.

BE IT RESOLVED that, good reason appearing therefor, the time for the performance of the contract with Geo. M. Robinson, an individual, doing business under the style of Geo. M. Robinson & Co. for the installation of a sprinkler system for substructure of extension to Ninth Avenue Pier, Oakland, (P.W.A. 1629-DS-Contract #2) be and the same is hereby extended to and including July 31, 1938.

BE IT FURTHER RESOLVED that it is proposed to waive liquidated damages for the period of said extension of time provided such waiving meets with the approval of the Public Works Administration."

"RESOLUTION NO. 4725

RESOLUTION GRANTING PACIFIC  
GAS AND ELECTRIC COMPANY  
REVOCABLE PERMIT TO INSTALL  
CERTAIN CABLE DUCTS.

BE IT RESOLVED that the plans submitted by Pacific Gas and Electric Company, together with the application for a revocable permit to install certain underground cable duct lines across port property near the intersection of Maritime Street and Twenty Second Street extended be and the same are hereby approved and granted at the sole risk and expense of applicant."

"RESOLUTION NO. 4726

RESOLUTION ADOPTING SPECI-  
FICATIONS FOR CONCRETE MIXER  
TO BE USED AT AIRPORT.

RESOLVED that the specifications and other provisions relative thereto filed with the Board for the rental of a concrete mixer for use at Oakland Municipal Airport, for a period of approximately 6 months, and the manner of payment therefor, be and the same are hereby approved.

BE IT FURTHER RESOLVED that the Secretary be authorized to advertise for five consecutive days in the official newspaper for sealed proposals for the supplies to be furnished, as required by law."

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"RESOLUTION NO. 4727

RESOLUTION DETERMINING THAT A LEASE SHOULD BE MADE OF CERTAIN PROPERTY AT THE FOOT OF NINETEENTH AVENUE FOR A PERIOD OF FIFTEEN YEARS, APPROVING FORM OF LEASE AND NOTICE INVITING BIDS, AND DIRECTING THE SECRETARY TO ADVERTISE FOR BIDS.

Whereas, public necessity and convenience and the interests of the Port require that the City of Oakland lease those certain premises located at the foot of Nineteenth Avenue in the City of Oakland, and now occupied by Atlas Imperial Diesel Engine Company, for a period of fifteen years, to the highest responsible bidder, subject to termination by the lessee at the end of ten years, and to other terms, provisions and conditions specified by this Board, and

Whereas, a form of lease and of a notice inviting bids therefor have been prepared by the Port Attorney under the direction of this Board, and filed with it, and the said form of lease and said notice and the provisions thereof, are hereby fully approved, now therefore,

BE IT RESOLVED that the Secretary publish said notice as an advertisement in the official newspaper of the City of Oakland in the manner and for the time required by law to secure bids for such lease (each to be accompanied by a check in the amount of \$250), at public auction on Monday, July 18, 1938, at the hour of 4:30 p.m., and to furnish interested parties who may request same with copies of such proposed lease.

BE IT FURTHER RESOLVED that the Board reserves the right to reject any and all bids received if not satisfactory to it.

BE IT FURTHER RESOLVED that if the present occupant of such premises be not the successful bidder for such lease, the Port Attorney shall take such steps as may be required by law to cause the said occupants to vacate the said premises in ample time to permit its occupancy by whomever may be awarded such lease after the receipt of bids therefor and the effective date of such lease."

"RESOLUTION NO. 4728

RESOLUTION AUTHORIZING AGREEMENT WITH CALIFORNIA REDWOOD BOX COMPANY.

BE IT RESOLVED that the President of this Board be and he is hereby authorized to enter into an agreement with California Redwood Box Company, a corporation, as licensee, providing for the occupancy by licensee of an area of approximately 23,000 square feet on the westerly side of Nineteenth Avenue on a month to month basis, commencing April 1, 1938, and at a monthly rental of \$50.00 and

BE IT FURTHER RESOLVED that said agreement, in addition to the customary provisions ordinarily incorporated in like contracts, shall contain a provision wherein licensee shall agree that it is indebted to the port in the total sum of \$900 for rental accruing on said premises from October 1, 1936 to April 1, 1938, which sum shall be paid in equal monthly instalments of \$50.00 each, commencing with the date of said agreement."

"RESOLUTION NO. 4729

RESOLUTION GRANTING LEAVE OF ABSENCE TO PAUL HOLMGREN, PORT MAINTENANCE LABORER.

RESOLVED that Paul Holmgren, Port Maintenance Laborer, (Port Ordinance No. 222, Section 5.03), is hereby granted a leave of absence on account of illness, said leave to be for 6 working days commencing June 27, 1938, with compensation at the rate of 75% of the salary payable such employee, as provided by the rules of the Civil Service Board."

"RESOLUTION NO. 4730

RESOLUTION GRANTING LEAVE OF ABSENCE  
TO DARIUS SHIPLER, PORT MAINTENANCE  
LABORER AND WATCHMAN.

BE IT RESOLVED that Darius Shipler, Port Maintenance Laborer and Watchman, (Port Ordinance No. 222, Section 8.22,) is hereby granted a leave of absence on account of illness, said leave to be for 90 consecutive calendar days commencing July 6, 1938, without pay except for the first 50 working days thereof which shall be with compensation at the rate of 75% of the salary payable such employe, as provided by the rules of the Civil Service Board."

"RESOLUTION NO. 4731

RESOLUTION GRANTING LEAVE OF ABSENCE TO WM. C. WALTER,  
PORT MAINTENANCE LABORER AND WATCHMAN.

RESOLVED that Wm. C. Walter, Port Maintenance Laborer and Watchman, (Port Ordinance No. 222, Section 8.22), is hereby granted a leave of absence for personal reasons, said leave to be for 13 consecutive calendar days commencing July 5, 1938, without pay."

"RESOLUTION NO. 4732

RESOLUTION AWARDING CONTRACT  
TO FOWELL BROS., INC.

BE IT RESOLVED that the contract for furnishing and delivering 5000 tons, more or less, of concrete aggregates to Oakland Municipal Airport, Oakland, be and the same is hereby awarded to Powell Bros., Inc., a corporation, as the lowest responsible bidder, in accordance with the terms of its bid, filed July 11, 1938.

BE IT FURTHER RESOLVED that, pursuant to the specifications, the certified check accompanying said bid shall be held as bond as a guarantee of the furnishing and delivering of said material. At and upon such delivery, said certified check shall be returned to said bidder.

BE IT FURTHER RESOLVED that the other bids received for said contract be and they are hereby rejected and the checks accompanying same shall be returned to the proper persons."

Pursuant to Resolution No. 4715 and advertising for five consecutive days in the City's official newspaper, bids for concrete Aggregates and Portland Cement to be delivered at the Oakland Municipal Airport, were received between the hours of 3:30 and 4:30 p.m. At the hour of 4:30 p.m., the following bids, being all the bids received, were publicly opened:

BIDS FOR FURNISHING AND DELIVERING FIVE THOUSAND (5,000) TONS,  
MORE OR LESS, OF CONCRETE AGGREGATES TO OAKLAND MUNICIPAL AIRPORT

BIDDER	ITEM A	ITEM B	TOTAL	CERTIFIED CHECK
	Coarse Aggregate Per Ton	Fine Aggregate Per Ton		
Rhodes & Kennedy, Inc.	\$1.43	\$1.43	\$7,150.00	\$715.00
Melrose Building Materials Co.	1.43	1.43	7,150.00	715.00
Alta Building Material Co.	1.39	1.39	6,950.00	750.00
Powell Bros., Inc.	1.32	1.32	6,600.00	660.00
Transit Concrete, Ltd.	1.43	1.43	7,150.00	750.00

Upon approval by the Port Attorney as to legality and upon recommendation of the Port Manager, the bid of Powell Bros., Inc. was accepted and Resolution No. 4732 Passed, awarding the contract to said Powell Bros., Inc. at the price of \$6,660.00, this company being the lowest bidder.



BIDS FOR FURNISHING AND DELIVERING FOUR THOUSAND (4000) BARRELS, MORE OR LESS, OF PORTLAND CEMENT TO OAKLAND MUNICIPAL AIRPORT

BIDDER	PER BBL.	TOTAL	CERTIFIED CHECK
Rhodes & Kennedy, Inc.	\$2.49	\$9,960.00	\$996.00
Alta Building Material Co.	2.49	9,960.00	1,000.00
Henry Cowell Lime & Cement Co.	1.89	7,560.00	1,100.00
Transit Concrete, Ltd.	2.49	9,960.00	1,100.00

These bids were referred to the Port Attorney as to legality and the Port Manager for recommendation as to acceptance of the bids.

ADJOURNED.




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S E C R E T A R Y

SPECIAL MEETING OF THE BOARD OF PORT COMMISSIONERS

of the

PORT OF OAKLAND

Held on Wednesday, July 13, 1938, at the hour of 2:00 o'clock p.m., such meeting having been called by the President.

Commissioners present: Colbourn, Fisher, and President McElroy -3-

Commissioners absent: Pardee, and Roland on leave -2-

The Port Manager and Port Attorney were also present.

The Board, having specially convened, was advised by the Port Attorney that the transaction for the acquisition by the City of Oakland of the triangular parcel of land adjacent to the Airport on the east side, pursuant to Port Ordinance 272 and other ordinances, together with related transactions pertaining to the parcel in which the purchaser was involved, were now in the hands of the Oakland Title Insurance & Guaranty Co., together with a connected matter in the hands of the Alameda County-East Bay Title Insurance Co. He further advised that he had been assured by representatives, on behalf of the seller, that it was urgent that the Board pass its resolution accepting the deed from James Keith in order that it might be on record without delay.

The Board, after consideration of the matter, adopted its resolution, as set forth in these minutes, by the following vote:

AYES: Commissioners Colbourn, Fisher, and President McElroy -3-

NOES: None

ABSENT: Commissioners Pardee, and Roland -2-

"RESOLUTION NO. 4733

RESOLUTION ACCEPTING AND  
AUTHORIZING DEED FROM JAMES  
KEITH AND OTHERS.

RESOLVED that, pursuant to Port Ordinances Nos. 272 and 277 and City Council Ordinance No. 795 C.M.S., the City of Oakland, acting by and through its Board of Port Commissioners, thereunto duly authorized, hereby accepts that certain deed of conveyance executed and acknowledged under date of February 11, 1938 by James Keith and Beatrice Keith, his wife, and authorizes the recordation of said deed in the office of the Recorder of the County of Alameda, State of California, together with certified copies of said ordinances and this resolution."

ADJOURNED.

  
SECRETARY

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS  
of the  
PORT OF OAKLAND

Held on Monday, July 18, 1938, at the hour of 3:30 p.m., in the office of the Board, Room 75, Grove Street Pier, due written notice of such meeting having been given members of the Board.

Commissioners present: Colbourn, Fisher, Pardee and President  
McElroy -4-

Commissioner absent: Roland, on leave -1-

The Port Manager and Port Attorney were also present.

The Minutes of the regular meeting of July 11, 1938 and special meeting of July 13, 1938 were read, approved, and adopted.

Communication from Libby, McNeill & Libby accepting the Board's proposal of settlement of past due storage account, accrued during the period of the 1936-1937 maritime strike, and enclosing check for \$1311.09, was read and resolution later passed compromising the claim for storage of pineapple during the period of the maritime strike in 1936-1937.

Communication from the California State Automobile Association quoting a price of \$55.60 for signs required to be placed on Maritime Street approach to the Bay Bridge, was read and the Port Manager directed to arrange for the purchase and placing of signs as recommended, but omitting the "Pass subject to Toll" reflector type sign.

Communication from Denis Mulligan, U. S. Director of Air Commerce, advising that the Board's request for license to install and operate a radio instrument landing system at the Oakland Municipal Airport has been granted, and a frequency of 93,900 k.c. has been assigned to the system for temporary experi-

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mental purposes, was filed.

Communication from the City Attorney of Long Beach advising of further legal actions being filed in which private interests, having quitclaimed tidelands to city, now claim that they still hold title to oils and minerals contained in such areas, was filed.

Communication from C. C. Arthur, Examiner of the Maritime Commission, expressing appreciation for recent visit to the Port and saying, "I shall never cease to remember your port and its environs", was filed.

Communication from the Conference on State Defense reporting that the United States Department of Justice has rendered a 200-page opinion to Treasury Department advising that "the Federal Government has the power to tax all state and municipal bonds, both those outstanding and future issues, and has also the power to tax the salaries of all officers and employees of the state governments earned in the past as well as in the future", and that the states have, on their part, no power to tax Federal bonds or officers, was filed.

The Port Attorney reported that he had received a communication from Thacher, Jones and Casey, Attorneys, representing the General Engineering and Dry Dock Co., in respect to the lease for the year commencing January 1, 1938. He stated that the attorneys were seeking extensive modifications of the Port's general form of short term concession agreement, presumably with the thought in mind of a future long term lease. The Board referred the communication to the Port Attorney for further negotiations with the attorneys of the General Engineering and Dry Dock Co. In this connection, it was reported that the General Engineering and Dry Dock Co. had paid its rent promptly since January 1.

Communication from the Port Attorney advising that fee title to the forty-acre tract easterly of and adjoining the Oakland Municipal Airport, which was purchased from James Keith for \$5,000, passed to the City of Oakland on July 14, and that the Oakland Title Insurance and Guaranty Co. had issued title insurance policy showing title free and clear of all lines and encumbrances, including delinquent taxes, was filed.

Communication from Geo. B. Thornton requesting eight days' leave of absence without pay because of personal business was read, and resolution later passed granting leave as requested without pay.

Communication from the Oakland Post Enquirer advising it will issue in February 1939 a special exposition edition and requesting a full page advertisement of the Port be authorized at a cost of \$403.20, was read and the Port Manager directed to advise the Post Enquirer that the Board would arrange

to take a page of advertising space in its Exposition Edition.

Communication from the Oakland Tribune requesting that space reservations for a full page advertisement of the Port be made at this time for its Exposition Edition to be published in February 1939 at a cost of \$493.92, was read and the Port Manager directed to advise the Tribune that a one-page advertisement would be taken in its Exposition edition.

Copy of letter to City Manager J. F. Hassler advising him that his request for \$25,000 to be contributed to the City's General Fund was being continued for consideration, was filed.

Copy of Port Manager's letter to the Bay Cities Transportation Co. advising of proposed cancellation of Port Revolving Fund checks to balance its unpaid account, was filed.

Application to Public Works Administration for construction of a new Administration Building at the Oakland Municipal Airport, and request for a Federal Grant of \$108,878.00 was read and resolution later passed authorizing the Port Manager to file the application with the Public Works Administration.

Communication from Healy Tibbitts Construction Co. requesting extension of six days to its contract time for construction of Ninth Avenue Pier Extension on account of strike of Hoisting Engineers was read, and resolution later passed granting extension of time as requested.

Communications from Harold J. Gannon and E. J. Basso, Airport Attendants, requesting leaves of absence with pay while they are attending Navy Aviation Reserve Training duty, were read, and following verbal report of the Port Attorney, a resolution was passed granting leave of absence without pay.

Advice having been received from the Public Works Administration that it had approved the Board's Resolution No. 4724, extending time for the performance of Geo. M. Robinson & Co.'s contract for the installation of sprinkler system at the Ninth Avenue Pier extension, the Board later passed Resolution No. 4743 waiving liquidated damages.

It was reported that President Roosevelt had christened the Port of Oakland overpass on July 14 and boarded the Cruiser Houston at the Outer Harbor Terminal at 3:15 p.m. for a review of the Fleet, returning to dock and leave for Yosemite trip at 9:50 p.m.; further, that a large gathering of people assembled at the Outer Harbor to greet the President, and that Admiral Claud Bloch and Captain Barker of the Houston were very appreciative of the berthing facilities and spoke in high terms of the fine cooperation

of the Port of Oakland. Photographs of the event with the President's caravan passing over the Port of Oakland overpass were presented to members of the Board.

Copy of estimate of City appropriations required for benefit provisions of retirement ordinance was filed.

The Port Manager reported that thirty-eight air transport schedules could not use the San Francisco Airport during the month of May, and that San Francisco passengers, mail, and express were handled at the Oakland Municipal Airport.

The Port Manager stated that the Cruiser Milwaukee, under command of Captain Kelly, will be at berth at the Grove Street Pier until Saturday, July 23, in honor of the Lions International Convention, and that visitors are welcome on Tuesday, Wednesday, and Friday afternoons from 1:00 to 4:30 p.m., Thursday afternoon being reserved for Lion members.

The Port Manager reported that Oscar Joseph, an employee of the City of Oakland and the Port of Oakland since August 21, 1921, first as a Dredge Laborer and later as a Watchman, died July 18, 1938, and that Mr. Joseph had always been a faithful and conscientious worker.

The Port Manager reported as follows on the status of certain funds as of July 15, 1938:

<u>Harbor Maintenance and Improvement Fund (No. 226)</u>	
Unencumbered Cash Balance as of July 15, 1938.....	\$32,987.57
Set up in Special Funds 220 and 222 .....	95,000.00
Total Unencumbered Cash in all revenue funds	
as of July 15, 1938.....	127,987.57
Total Unencumbered Cash in all revenue funds	
as of June 30, 1938 .....	41,864.39
 <u>1925 Oakland Harbor Improvement Fund (No. 567)</u>	
Cash Balance as of July 15, 1938 .....	215,035.15

The report of the Port Manager recommending rejecting of all bids for furnishing 4000 barrels of Portland cement, as excessive, and requesting authority to purchase the cement in the open market at a price lower than \$1.89 net, the lowest bid received, was read and resolution later passed rejecting all bids and authorizing the purchase of the cement in the open market.

Concerning the applications of certain employees for military leaves of absence with pay, the Port Attorney reported that he had carefully resurveyed the law and had concluded that the employees of the Port were not entitled to demand military leaves with pay, but the Board, in its discretion, might grant them leaves of absence, in addition to the regular vacation period, without pay, for military leave, and that employees could attend military encampment during their regular vacation, receiving their usual vacation pay. He stated further that he had prepared a written opinion which was being typed.

The reports of the Auditing Committee on weekly pay rolls, and claims

and demands, were adopted.

The following resolutions were introduced and passed by the following vote:

AYES: Commissioners Colbourn, Fisher, Pardee, and President  
McElroy -4-

NOES: None

ABSENT: Commissioner Roland -1-

"RESOLUTION NO. 4734

RESOLUTION APPROVING WEEKLY PAYROLLS,  
RATIFYING ALL HIRINGS AND EMPLOYMENTS  
THEREIN AND REIMBURSING PORT REVOLVING  
FUND.

BE IT RESOLVED that the weekly payrolls for the weeks ending July 5, and July 12, 1938, be and the same are hereby approved and the hiring or employment of each and all of the services therein set forth at the compensations therein paid is hereby ratified, confirmed and approved, and

BE IT FURTHER RESOLVED that the demand against the Harbor Maintenance and Improvement Fund for the reimbursement of the Port Revolving Fund in the amount set forth therein, having been approved by the Auditing Committee, is hereby approved and allowed, and the City Auditor be and he is hereby authorized and directed to draw his warrant for the same and make such reimbursement.

HARBOR MAINTENANCE AND IMPROVEMENT FUND:

Port Revolving Fund - Payrolls \$2,189.30."

"RESOLUTION NO. 4735

RESOLUTION APPROVING AND ALLOWING  
CERTAIN CLAIMS AND DEMANDS.

RESOLVED: That the following claims and demands, having been approved by the Auditing Committee, be and the same are hereby approved and allowed by the Board of Port Commissioners and the Auditor is authorized to draw his warrant for the same out of the proper Fund:

HARBOR MAINTENANCE AND IMPROVEMENT FUND:

Alhambra Water Company	\$ .62
The American Rubber Manufacturing Co.	93.33
Baker, Hamilton & Pacific Company	64.14
Sam Bates Company	192.75
Bay City Sanitary Rag Co.	6.57
Geo. R. Borrmann Steel Company	14.26
Calaveras Cement Company	1,179.42
California Rustproofing Company	.81
L. M. Clough Co.	104.75
Cochran & Celli	819.69
Commonwealth Club of California	3.00
Frank Day	17.50
Dock Checkers Employers Association	97.54
Eagle Indemnity Company	4.00
East Bay Blue Print and Supply Co.	47.07
East Bay Glass Company	2.77
The Geo. H. Eberhard Company	399.02
The Electric Corporation	6.61
Fairbanks, Morse & Co.	57.31
Field-Ernst Envelope Co.	121.13
H. B. Folsom	108.25
W. P. Fuller & Co.	34.88
General Electric Supply Corporation	8.98
Gilson Electrical Supply Co.	8.97
The A. J. Glesener Co.	8.94
Greenwood Printers Ltd.	34.25
H. & M. C. Co.	8.24

Haiden Auto Parts, Ltd.	4.33
The Hancock Oil Co. of Calif.	24.40
The Heafey-Moore Co.	636.58
Hersey Inspection Bureau	21.00
The Inter-City Printing Co.	79.21
International Business Machines Corporation	15.50
The International Press	16.48
Interstate Stucco Company	24.72
L. N. "Len" Johnson-Typewriters	17.50
Kling-Dawers Stationery Co., Inc.	2.81
Knox-Hale Machinery Co.	38.12
Laird's Stationery	.91
Lawton & Williams	63.91
Maxwell Wholesale Hardware Company	7.40
Melrose Lumber & Supply Co.	79.53
Merchants Express Corporation	3.50
Albert C. Moe	163.54
National Lead Company	213.42
Oakland Airport Inn	2.06
Oakland Fire Extinguisher Company	7.73
Oakland Plumbing Supply Co.	24.51
Pacific Tool and Supply Company	21.38
Peterson Tractor & Equipment Co.	.79
Phoenix Iron Works	10.30
Phoenix Photo Engraving Co.	41.39
Powell Bros., Inc.	1,979.11
Printing Plates Incorporated	10.92
Richfield Oil Corporation	24.72
Rio Grande Oil, Inc.	148.38
San Francisco Bay Carloading Conference	5.00
Schirmmacher Co.	.62
H. G. Scovern & Co.	2.02
Sentinel Sanitary Supply Company	15.73
Shipping Register	40.00
B. Simon Hardware Co.	5.20
Smart & Mitchell	8.03
Smith Brothers	27.59
Strable Hardwood Company	10.43
Clyde Sunderland	2.58
Tide Water Associated Oil Company	44.39
Transit Concrete	18.86
The Tribune Publishing Co.	34.73
Victor Equipment Company	6.64
West Disinfecting Company	5.10
Western Advertising	3.00
Heafey-Moore Company	2,719.28
Lee J. Immel	1,297.48
H.G. Adam	27.30
M. D. McCarl	28.15
Port Revolving Fund - Miscl.	262.29
	<u>\$11,693.37"</u>

"RESOLUTION NO. 4736

RESOLUTION EXTENDING TIME FOR  
PERFORMANCE OF CONTRACT WITH  
HEALY TIBBITTS CONSTRUCTION CO.

BE IT RESOLVED that, due to delay caused by strike conditions, the time for the performance of the contract with Healy Tibbitts Construction Co. for the construction of an extension to Ninth Avenue Pier (P.W.A. 1629-DS) be and the same is hereby extended to and including July 31, 1938.

BE IT FURTHER RESOLVED that it is proposed to waive liquidated damages for the period of said extension of time provided such waiving meets with the approval of the Public Works Administration."

"RESOLUTION NO. 4737

RESOLUTION COMPROMISING CLAIM  
AGAINST LIBBY, McNEILL & LIBBY FOR  
STORAGE CHARGES ON PINEAPPLE SHIPMENTS.

Whereas, during the period of October 29, 1936 to February 5, 1937, Libby, McNeill & Libby was prevented by the then prevailing maritime

laborers' strike from removing under through bills of lading shipments of pineapple from the Outer Harbor Terminal which were discharged at such terminal by vessels, and consistently thereafter disputed the bills rendered by the Port in the amount of \$3933.29 for storage charges, and refused to pay the same upon the ground, in part, that the Port's tariff provides for an extension of the free time period "in case of emergencies", and for the reason that due to marketing conditions which prevailed at the time only a small quantity of such pineapple would have been retained in storage had it not been for such laborers' strike; and

Whereas, officials of the Company have appeared before this Board protesting such charges, and the Port Manager has made a report (April 18, 1938) recommending that such an adjustment be made as may be equitable, and this Board, having reviewed the circumstances and records on file, finds and determines that an adjustment should properly be made, by cancelling two-thirds of the amount billed, or \$2,622.20, leaving a charge of \$1,311.09 to be paid by the Company, and said Company has accepted such compromise and tendered such last named amount, now therefore be it

RESOLVED that the said payment of \$1,311.09 be accepted from Libby, McNeill & Libby in full settlement and discharge of said disputed storage charges, and that the City Auditor and Chief Port Accountant be authorized and directed to make the proper entries upon the books of the City to do adjust such account."

"RESOLUTION NO. 4738

RESOLUTION GRANTING A REVOCABLE  
PERMIT TO STANDARD OIL COMPANY  
OF CALIFORNIA TO INSTALL GASOLINE  
TANKS AND FUELING PITS AT THE  
OAKLAND MUNICIPAL AIRPORT.

RESOLVED that the application of Standard Oil Company of California for permission to install 3 one thousand gallon gasoline tanks and fueling pits, together with incidental pumping units, meter box and other equipment at locations near Hangars No. 1 and No. 2 at the Oakland Municipal Airport, having been approved by the Port Manager, be and the same is hereby granted, subject to compliance with the fire regulations of the City of Oakland, and upon the understanding that said facilities shall also be subject to the provisions of the airport gasoline concession agreement between said Standard Oil Company of California and this Board."

"RESOLUTION NO. 4739

RESOLUTION COMPROMISING DISPUTED  
CLAIM OF W. R. CHAMBERLIN & CO.  
RELATIVE TO STORAGE CHARGES.

Whereas, W. R. Chamberlin & Co. received a shipment of lumber on March 19, 1938, and thereafter, due to inter-union labor strikes between the American Federation of Labor and units of the Committee of Industrial Organization, it was impossible for the consignee to remove any of said lumber until the strike was settled on April 11, 1938, whereupon it was removed within ten (10) days' time, and said consignee has requested this Board to make an adjustment of the storage charges imposed upon it for allowing the lumber to remain on the Ninth Avenue Pier beyond the ten (10) days' free time period following March 29th, and

Whereas, the Port Manager has submitted a report advising that the storage rates in question are in the nature of "penalty charges" to force the prompt removal of shipments of lumber, and recommending an adjustment on the basis of fifty per centum (50%), leaving a charge of \$274.26 to be paid, and it appears to this Board that under said circumstances such adjustment is reasonable and fair and should be made, now therefore, be it

RESOLVED that the storage charge charge against W. R. Chamberlin & Co. in the amount of \$548.51 be reduced to the sum of \$274.26 and that the remainder of said charge be cancelled upon the books of the City by the City Auditor and Chief Port Accountant."

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"RESOLUTION NO. 4740

RESOLUTION REJECTING BIDS FOR  
FURNISHING AND DELIVERING  
PORTLAND CEMENT TO OAKLAND  
MUNICIPAL AIRPORT.

RESOLVED that each and all of the bids received on Monday, July 11, 1938, for the furnishing and delivering of 4,000 barrels, more or less, of Portland Cement to Oakland Municipal Airport be and the same are, and each of them is, hereby rejected for the reason that said bids are, and each of them is, deemed excessive, and the Secretary is hereby authorized to return the certified checks accompanying said bids to the respective bidders, and to purchase such cement in the open market, but in no case shall such cement be bought at a price as high as the lowest bid received."

"RESOLUTION NO. 4741

RESOLUTION GRANTING LEAVE  
OF ABSENCE WITHOUT PAY TO  
GEORGE B. L. THORNTON, PORT  
CONSTRUCTION SUPERINTENDENT.

RESOLVED that George B. L. Thornton, Port Construction Superintendent, (Port Ordinance No. 222, Section 4.12) is hereby granted a leave of absence for personal reasons, without pay, said leave to be for a period of 8 days commencing August 15, 1938."

"RESOLUTION NO. 4742

RESOLUTION APPROVING TEMPORARY  
APPOINTMENT OF ARNOLD V. BARANCO  
TO POSITION OF JANITOR.

RESOLVED that the temporary appointment of Arnold V. Baranco to the position of Janitor, in accordance with Resolution No. 4723 is hereby approved by this Board, said appointment to be effective as of July 13, 1938."

"RESOLUTION NO. 4743

RESOLUTION WAIVING LIQUIDATED  
DAMAGES FOR DELAY IN PERFORM-  
ANCE OF CONTRACT WITH GEO. M.  
ROBINSON, AN INDIVIDUAL, DOING  
BUSINESS UNDER THE STYLE OF GEO.  
M. ROBINSON & CO.

Whereas, by Resolution 4724, passed June 11, 1938, this Board of Port Commissioners duly extended the time of performance of the contract with Geo. M. Robinson, an individual, doing business under the style of Geo. M. Robinson & Co. for the installation of a sprinkler system for substructure of extension to Ninth Avenue Pier, Oakland, (P.W.A. 1629-DS-Contract #2) to and including July 31, 1938, and proposed the waiver of liquidated damages upon securing the approval of the Public Works Administration, and

Whereas, said Public Works Administration has approved such extension of time, and said proposed waiver of such damages, and it appears to this Board that the delay in the performance of such contract was due to no fault of the contractor, and was in fact for the convenience of this Board, and such damages should be waived, now therefore,

BE IT RESOLVED that liquidated damages for the said extended period to and including July 31, 1938 be and the same are hereby waived."

"RESOLUTION NO. 4744

RESOLUTION AUTHORIZING THE PORT MANAGER  
AND CHIEF ENGINEER OF THE BOARD OF PORT  
COMMISSIONERS OF THE CITY OF OAKLAND TO FILE  
AN APPLICATION TO THE UNITED STATES OF  
AMERICA THROUGH THE FEDERAL EMERGENCY ADMINIS-  
TRATION OF PUBLIC WORKS FOR A GRANT TO AID  
IN FINANCING THE CONSTRUCTION OF AN ADMINIS-  
TRATION BUILDING, WITH APPURTENANCES AT OAKLAND  
MUNICIPAL AIRPORT IN SAID CITY, AND DESIGNATING  
THE SAID PORT MANAGER AND CHIEF ENGINEER TO FURNISH  
SUCH INFORMATION AS THE GOVERNMENT MAY REQUEST.

BE IT RESOLVED by the Board of Port Commissioners of the City of Oakland, State of California:

Section 1. That A. H. Abel, as Port Manager and Chief Engineer of this Board, be, and he is hereby authorized to execute and file an application on behalf of the City of Oakland, a municipal corporation of the State of California, acting by and through the Board of Port Commissioners, to the United States of America for a grant to aid in financing the construction of an administration building, with appurtenances, at Oakland Municipal Airport in said City.

Section 2. That said Port Manager and Chief Engineer be, and he is hereby authorized and directed to furnish such information as the United States of America, through the Federal Emergency Administration of Public Works, may reasonably request in connection with the application which is herein authorized to be filed."

"RESOLUTION NO. 4745

RESOLUTION GRANTING MILITARY LEAVES  
TO CERTAIN PORT EMPLOYEES.

BE IT RESOLVED that the requests of Harold J. Gannon and Emile J. Basso, (Port Ordinance No. 222, Section 6.03), Airport Attendants and Watchmen, for special military leaves of absence with pay with the privilege of attending the Navy Aviation Training Duty at the Oakland Municipal Airport from July 16, 1938 to and including July 29, 1938, be denied, and in lieu thereof said employees are hereby granted permission to take their vacation period at such time and to attend said training duty, receiving their vacation pay, or to receive an additional leave of absence, without pay, for the requested period."

"RESOLUTION NO. 4746

RESOLUTION WAIVING LIQUIDATED  
DAMAGES FOR DELAY IN PERFORMANCE  
OF CONTRACT BY HEALY-TIBBITTS CON-  
STRUCTION CO., A CORPORATION.

Whereas, by Resolution No. 4736 passed July 18, 1938, this Board of Port Commissioners duly extended the time of performance of the contract by Healy-Tibbitts Construction Co. for the construction of an extension to 9th Avenue Pier (P.W.A. 1629-DS) to and including July 31, 1938, and proposed the waiver of liquidated damages upon securing the approval of the Public Works Administration, and

Whereas, said Public Works Administration has approved such extension of time, and said proposed waiver of such damages, and it appears to this Board that the delay in the performance of such contract was due to strike conditions and was no fault of the contractor, and such damages should be waived, now therefore,

BE IT RESOLVED that liquidated damages for the said extended period to and including July 31, 1938 be and the same are hereby waived."

Pursuant to Resolution No. 4726 and advertising for five consecutive days in the city's official newspaper, bids for furnishing on a rental basis for six-month period, one three-quarter cubic yard capacity concrete mixer were received between the hours of 3:30 and 4:30 p.m. At the hour of 4:30 p.m., the following bids, being all the bids received, were publicly opened:

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BIDS FOR FURNISHING ON A RENTAL BASIS FOR A SIX MONTHS' PERIOD,  
MORE OR LESS, ONE THREE-QUARTER CUBIC YARD CAPACITY CONCRETE  
MIXER FOR USE AT THE OAKLAND MUNICIPAL AIRPORT.

<u>BIDDER</u>	<u>PER MONTH</u>	<u>TOTAL FOR SIX MONTHS</u>	<u>CERTIFIED CHECK</u>
Lee J. Immel	\$98.00	\$588.00	\$60.00
Edward R. Bacon Company	200.00	1,200.00	120.00

These bids were referred to the Port Attorney as to legality and the Port Manager for recommendation as to acceptance of the bids.

The hour of 4:30 o'clock p.m. having arrived, and due notice having been given, the President called for bids at public auction for the proposed lease of certain property near the foot of Nineteenth Avenue. Only one bid therefor was received, being the written bid of Atlas Imperial Diesel Engine Co., a corporation, offering to pay a monthly rental of \$575.00, and to comply with all the terms and conditions of the proposed lease. Said bid was duly accompanied by a cashier's check in the sum of \$250.00, and a written statement setting forth required information as to the responsibility of the bidder to comply with the proposed lease. The bid was thereupon publicly read. Upon the President calling for other bids, and there being none, either oral or written, and no other interested parties or prospective bidders being present, the bid was referred to the Port Manager for recommendation and to the Port Attorney as to form and legality.

ADJOURNED.

  
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S E C R E T A R Y

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS  
of the  
PORT OF OAKLAND

Held on Monday, July 25, 1938, at the hour of 3:30 p.m., in the office of the Board, Room 75, Grove Street Pier, due written notice of such meeting having been given members of the Board.

Commissioners present: Colbourn, Fisher, Pardee, and President  
McElroy -4-

Commissioner absent: Roland, on leave -1-

The Port Manager and Port Attorney were also present.

The minutes of the regular meeting of July 18, 1938, were read, approved, and adopted.

Communication from the Oakland Tribune advising of the publishing of a special development section in its Sunday, August 7th edition, which will commemorate the Port of San Francisco Diamond Jubilee celebration, and requesting the placing of a full page advertisement in this edition, was read and referred to the Port Manager for report.

Communication from the Port Manager enclosing copies of letters received from Pacific Guano Co., Wilson & Geo. Meyer & Co., E. B. Stone & Son and Best Fertilizers Co., protesting recent raise of storage rate from  $\frac{1}{2}\%$  to  $1\frac{1}{2}\%$  per ton per day on fertilizer and fertilizer materials, and from 2¢ to 5¢ per ton per day on peat moss, was read and referred to the Port Manager for investigation as to affect on diversion of tonnage which may be occasioned by the increase of rates.

Communication from Captain F. H. Kelley, Commanding U.S.S. MILWAUKEE expressing appreciation for Port literature and maps and for the courtesies extended during their visit at the Grove Street Pier from July 18 to 23, was filed.

Communication from J. F. Hassler, City Manager, responding to Port Manager's letter in respect to improvement of Nineteenth Avenue between Dennison and Livingston Streets, advising that their Works Progress Administration projects do not include this work and requesting that the work be undertaken by the Port Department under a Works Progress Administration road project, was read and the Port Manager directed to arrange for the carrying out of this project under Works Progress Administration.

Communication from T. G. Stahlberg, Secretary Civil Service Board, transmitting certified copy of its Resolution 16632 disapproving leave of absence granted Darius Shipler, Port Maintenance Laborer and Watchman, and fixing leave with three-quarters pay for twenty-three working days with further leave subject to physical examination by Civil Service Board's physician, was read. The Port Manager stated that he had advised Mr. Shipler of the Board's action.

Communication from Healy-Tibbitts Construction Co. requesting thirty days extension of contract at Ninth Avenue Terminal to permit dredging, which completion has been delayed due to unforeseen conditions, was read. The Port Manager stated that he had conferred with officials of the Public Works Administration who had verbally approved the granting of a further extension of time as being justified. A resolution was later passed approving the extension of time to August 31, 1938.

Communication from Colonel L. B. Chambers, U. S. Engineer, giving Public Notice of hearing to be held on Tuesday, August 16, 1938, in Sacramento,

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to consider any desired modifications of the existing project for the improvement of the Sacramento River, which hearing is being held under the authority of a resolution of the U. S. Senate Committee on Commerce, approved October 26, 1933, was read and referred to the Port Manager to determine the attitude of the State Harbor Board, Chamber of Commerce, and others, in respect to possible opposition which may be taken to the proposal of a deep water channel to Sacramento.

Communication from the Atlas Imperial Diesel Engine Co. explaining its bid of July 18 for a lease of property at the foot of Nineteenth Avenue, was read and after discussion an ordinance was later introduced awarding lease of property, as described in the bid, to Atlas Imperial Diesel Engine Co. A resolution was likewise passed providing for temporary rental basis for the property until such time as the lease becomes effective.

Order from the California Railroad Commission extending the time limit of its order for the establishment of grade crossing on Porttracks at Petroleum Street near its intersection with Ferry Street, in the Outer Harbor area, was filed.

Communication from the California Railroad Commission advising of hearings on July 28, August 2, 3, 4, 8, and 15th relative to modification of orders pertaining to constructive mileage on trucking, and of petition of Bay Cities Transportation Co. for exemption was read, and the Port Attorney and Port Manager directed to arrange for representation at such hearings as may affect the interests of the Port.

The Port Manager stated that the Warehousemen's I.L.W.U. strike in American Can Company and Paper Industry warehouses appears serious, but that the Waterfront Employees Association officials had stated that at this time the situation was not alarming as far as the waterfront is concerned.

The Port Attorney, reporting in respect to settlement of Air Race matters, stated that citations have been issued by the District Attorney's office for officers of the International Air Race Association for issuing checks without funds on hand.

The Port Attorney stated that examination of a final report on proceedings of last Congress just received discloses that S. J. Resolution 208 which asserted claim of U. S. Government to title of submerged lands of nation, although approved by Senate and House Committee, failed to reach a final vote, and that H. R. 1668, Pettengill Bill, although approved by Senate and House Committee, was, as anticipated, kept from a final vote.

The Port Manager stated that he had conferred with Captain Henry of the Army Air Reserve Base at the Oakland Municipal Airport, who had requested that a

communication be addressed to the War Department inviting its cooperation in providing additional hangar at the Oakland Municipal Airport to take care of the increased activity of the Army Reserve Base.

The Port Manager stated that he had received a communication from the National Youth Administration requesting that the Board sponsor a project for placing an exhibit of model airplanes in the Exhibition Building at the Oakland Municipal Airport, and the Board directed that the matter be further investigated.

Commissioner Colbourn reported that on July 23 he had attended the ground breaking ceremonies for the Press Building at Exposition Island and had extended the Board's greetings to the Governor, Mayor Rossi of San Francisco and others attending the ceremonies.

The Port Manager called attention to the excellent publicity which had recently appeared in the press relative to Ninth Avenue Terminal, the extension of which is rapidly nearing completion.

It was noted from press reports that the Pan American Airways had agreed with the City of San Francisco to establish its base at Exposition Island about November 1, 1938, lease being <sup>for</sup> ten years with renewal clause at a rental of \$1000 per year for the first five years, \$5000 per year for the next five years for 38,000 square feet of space in the Administration Building and one of the large hangars.

It was reported that a delegation of Sacramento businessmen would visit Oakland on Wednesday, July 27, at which time a luncheon was being arranged by the Oakland Chamber of Commerce. The Port Manager stated that the Port would be represented at the luncheon, and that the Port would be visited by the delegation when they depart from the Outer Harbor Terminal.

Doctor Pardee was congratulated by all members, the occasion being his Eighty-first Birthday.

The Port Manager reported as follows on the status of certain funds as of July 22, 1938:

<u>Harbor Maintenance and Improvement Fund (No. 226)</u>	
Unencumbered Cash Balance as of July 22, 1938 .....	\$15,080.39
Set up in Special Funds 220 and 222 .....	95,000.00
Total Unencumbered Cash in all revenue funds	
as of July 22, 1938.....	110,080.39
Total Unencumbered Cash in all revenue funds	
as of June 30, 1938 .....	41,864.39

<u>1925 Oakland Harbor Improvement Fund (No. 567)</u>	
Cash Balance as of July 22, 1938.....	215,035.15

The report of the Port Manager submitting Port tonnage statistics for month of June, 1938, was filed.

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The report of the Port Attorney relative to leave of absence to Port employees for military service, was filed.

The report of the Auditing Committee on claims and demands, was adopted.

The following resolutions were introduced and passed by the following vote:

AYES: Commissioners Colbourn, Fisher, Pardee, and President  
McElroy -4-

NOES: None

ABSENT: Commissioner Roland -1-

" RESOLUTION NO. 4747

RESOLUTION APPROVING AND ALLOWING  
CERTAIN CLAIMS AND DEMANDS.

RESOLVED: That the following claims and demands, having been approved by the Auditing Committee, be and the same are hereby approved and allowed by the Board of Port Commissioners and the Auditor is authorized to draw his warrant for the same out of the proper Fund:

LEASED WHARF IMPROVEMENT FUND:

Howard Terminal \$ 2,751.59

HARBOR MAINTENANCE AND IMPROVEMENT FUND:

Air Reduction Sales Co.	8.50
American Bitumuls Company	17.64
The American Rubber Manufacturing Co.	43.62
Arco Company of California, Ltd.	3.57
Edward R. Bacon Company	200.00
Baker, Hamilton & Pacific Company	4.44
Bay City Iron Works	4.64
Geo. R. Borrmann Steel Company	220.28
Calaveras Cement Company	893.50
California State Automobile Association	9.55
City of Oakland, City Hall	142.33
City of Oakland, Street Department	44.40
Cochran & Celli	1.97
Commercial News Publishing Co.	12.00
The Electric Corporation	102.57
Field-Ernst Envelope Co.	55.61
General Motors Truck & Coach	3.59
General Petroleum Corporation of California	22.66
The Guide Publishing Co.	54.00
H. & M. C. Co.	4.12
The Hancock Oil Co. of Calif.	124.20
Homelite Corporation	29.07
E. H. Huebbe	46.35
Inland Manufacturing Company	4.55
The Inter-City Express	7.50
E. & R. James Co.	40.78
Kronke-Brampton Co.	70.86
Laird's Stationery	11.16
Libby, McNeill & Libby	107.09
Maxwell Wholesale Hardware Company	55.72
A. Newman	33.48
Oakland Battery Co.	4.31
Oakland Fire Extinguisher Company	11.53
Oakland Plumbing Supply Co.	5.97
The Okonite Company	404.82
Postmaster, Oakland	143.18
Pacific Coast Aggregates, Inc.	112.78
Pacific Graphite Works	15.30
Pacific Shipper	68.00
The Pacific Telephone and Telegraph Company	227.94
Pacific Tool and Supply Company	68.46
Planett Manufacturing Company	60.00
Postal Telegraph-Cable Company	.20
Powell Bros., Inc.	347.29
Railway Express Agency, Inc.	.15
Reed's Truck Rental	72.00
Richfield Oil Corporation	69.04

Rio Grande Oil, Inc.	\$	6.98
R. J. Roesling & Company		153.00
Royal Typewriter Company		3.50
San Francisco Commercial Club		20.09
Sentinel Sanitary Supply Company		14.39
Smith Brothers		8.69
Clyde Sunderland		10.30
Tide Water Associated Oil Company		12.32
Transcontinental & Western Air, Inc.		1.00
Union Paper Company		15.01
Wailes Dove-Hermiston Corporation		13.65
Western Canner and Packer		100.00
Western Transportation		40.00
The Western Union Telegraph Company		6.36
Wonderlite Neon Products Co.		9.60
Markell C. Baer		4.97
American District Telegraph Company		2,031.50
Payrolls - Administrative Department		2,153.79
" - Airport		855.80
" - Engineering Department		2,139.00
" - Grove and Market Street Piers		1,589.88
" - Maintenance		2,962.63
" - Ninth Avenue Pier		734.92
" - Outer Harbor Terminal		5,371.75
" - Traffic Department		1,386.86
		<hr/>
		\$26,388.21."

"RESOLUTION NO. 4748

RESOLUTION PROVIDING FOR A  
TEMPORARY RENTAL BASIS WITH  
ATLAS IMPERIAL DIESEL ENGINE  
CO., A CORPORATION.

Whereas, pursuant to Port Resolution No. 4727 bids have been called for at public auction, after due advertisement of a notice for a lease of that certain property at the foot of Nineteenth Avenue in the Port Area, which is described in said notice, and at such auction the Atlas Imperial Diesel Engine Co., a corporation, was the highest bidder for such lease, and this Board has introduced an ordinance, No. 287, duly awarding such lease to such bidder, and

Whereas, said corporation has heretofore been and now is in possession and occupancy of the property proposed to be so leased and proposes to continue in such occupancy and use until the effective date of such lease, now therefore,

BE IT RESOLVED that by virtue of this resolution there is hereby awarded to such corporation a temporary license or lease upon the same terms, conditions, covenants and agreements set forth in said proposed form of permanent lease and upon a rental payment at the rate of \$575.00 per month, payable monthly in advance, to be paid to the City of Oakland until the date such permanent lease shall become effective; said temporary rental to be adjusted for such fraction of a month as may be affected. This resolution shall constitute a contract, and shall be effective upon its acceptance by a writing executed by said corporation."

"RESOLUTION NO. 4749

RESOLUTION EXTENDING TIME FOR  
PERFORMANCE OF CONTRACT WITH  
HEALY TIBBITTS CONSTRUCTION CO.

BE IT RESOLVED that, good cause appearing therefor, the time for the performance of the contract with Healy Tibbitts Construction Co. for the construction of an extension to Ninth Avenue Pier (P.W.A. 1629-DS) be and the same is hereby extended to and including August 31, 1938.

BE IT FURTHER RESOLVED that it is proposed to waive liquidated damages for the period of said extension of time provided such waiving meets with the approval of the Public Works Administration."

"RESOLUTION NO. 4750

RESOLUTION AUTHORIZING SUPPLEMENTAL AGREEMENT WITH WORKS PROGRESS ADMINISTRATION.

BE IT RESOLVED that the Port Manager be and he is hereby authorized to enter into an agreement with the United States of America rescinding and annulling the cancellation of that certain lease providing for the occupancy by Works Progress Administration of those certain premises near the foot of Nineteenth Avenue, and reinstating such lease as of June 30, 1938."

"RESOLUTION NO. 4751

RESOLUTION APPROVING REGULAR APPOINTMENT OF DWIGHT F. KIMBLE TO POSITION OF PORT MAINTENANCE LABORER AND WATCHMAN.

RESOLVED that the following regular appointment is hereby approved by this Board:

Dwight F. Kimble, Port Maintenance Laborer and Watchman, (Port Ordinance No. 222, Section 8.22), - \$5.00 per day - appointment effective August 1, 1938."

"RESOLUTION NO. 4752

RESOLUTION GRANTING LEAVE OF ABSENCE WITHOUT PAY TO VAUGHN M. KING, PORT MAINTENANCE LABORER.

RESOLVED that Vaughn M. King, Port Maintenance Laborer, (Port Ordinance No. 222, Section 5.03), is hereby granted a leave of absence for personal reasons, without pay, for six consecutive days commencing July 13, 1938."

"RESOLUTION NO. 4753

RESOLUTION APPROVING REGULAR APPOINTMENT OF EUGENE G. LATAPIE TO POSITION OF PORT WATCHMAN.

RESOLVED that the following regular appointment is hereby approved by this Board:

Eugene G. Latapie, Port Watchman, (Port Ordinance No. 222, Section 8.21), - \$120 per month - appointment effective August 1, 1938."

"RESOLUTION NO.      C.M.S. And PORT RESOLUTION NO. 4754

RESOLUTION PETITIONING THE BOARD OF SUPERVISORS TO TAKE STEPS TO CAUSE THE ANNEXATION OF CERTAIN TERRITORY TO THE CITY OF OAKLAND.

Whereas, the City of Oakland is the owner of certain uninhabited unincorporated territory which is contiguous to its boundaries and which consists in that certain lot, piece or parcel of land situate, lying and being in the Township of Eden, County of Alameda, State of California, and more particularly described as follows, to-wit:

All that portion of Lot 21 which lies southerly of the Southwestern boundary line of the alleged right of way of the South Pacific Coast Railroad Company, as the same may appear; all that portion of Lot 22 which lies southerly of the said southwestern boundary line of said alleged right of way, and Easterly of the Northwestern line of County Road No. 1434; all those portions of Lots 26 and 27 which lie southeasterly of the northwestern line of said County Road No. 1434, and all of Lots 28 and 29, all in Section

28, Township 2 South, Range 3 West, Mount Diablo base and meridian, and being shown on that certain Map entitled "Sale Map No. 10 of Salt Marsh and Tidelands, situated in the County of Alameda, State of California", prepared by order of Board of Tideland Commissioners, a copy of which said Map was filed on June 9, 1888 in Liber 17 of Maps at page 30, in the office of the County Recorder of Alameda County;

and

Whereas, as set forth in Ordinance No. 795 C.M.S. adopted November 26, 1937, and Port Ordinance No. 272, adopted November 15, 1937, said territory is an integral part of Oakland Municipal Airport; and

Whereas, it is necessary and convenient that said territory be annexed to the City of Oakland, in order to facilitate its improvement and the expenditure of municipal funds thereon, and in order that the police powers of the City be more readily extended thereover and that its use be subject more freely to regulations pertaining to other portions of said Airport, and that such annexation would be otherwise desirable and in the public interests; and

Whereas, by virtue of Statutes of 1933, page 2396, it is provided that the Board of Supervisors, upon the petition of the legislative body of any city, may cause the annexation to such city of any territory owned by it and which is contiguous to its boundaries; now, therefore, be it

RESOLVED, BY THE CITY COUNCIL OF THE CITY OF OAKLAND AND THE BOARD OF PORT COMMISSIONERS OF SAID CITY, JOINTLY, that the Board of Supervisors of the County of Alameda is hereby petitioned that it take the steps required by law to cause the territory above described to be annexed to, incorporated and included in the City of Oakland; and be it further

RESOLVED, that a copy of this resolution, when certified by the City Clerk and the Secretary of the Board of Port Commissioners, shall constitute the petition contemplated by law, and the City Clerk is hereby directed, forthwith, to transmit the same to the Board of Supervisors of Alameda County."

Port Ordinance No. \_\_\_\_ being "AN ORDINANCE AWARDED A LEASE OF CERTAIN PROPERTY AND APPURTENANCES NEAR THE FOOT OF 19TH AVENUE, A PUBLIC STREET, TO ATLAS IMPERIAL DIESEL ENGINE CO., A CORPORATION, DETERMINING THAT NOTICE OF INTENTION TO AWARD SAID LEASE HAS BEEN DULY GIVEN AND THAT SAID BIDDER WAS THE HIGHEST RESPONSIBLE BIDDER FOR SAID LEASE AT THE HIGHEST RENT AND THAT IT IS TO THE PUBLIC INTEREST THAT SAID BID BE ACCEPTED: ACCEPTING SAID BID FOR SAID LEASE, AND AUTHORIZING AND DIRECTING THE EXECUTION THEREOF", was introduced and passed to print by the following vote:

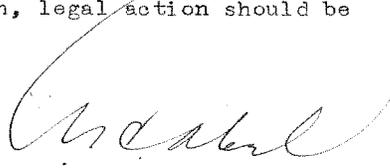
AYES: Commissioners Colbourn, Fisher, Pardee, and President  
McElroy -4-

NOES: None

ABSENT: Commissioner Roland -1-

It was the consensus of the Board that another effort should be made to bring negotiations with Mr. Tom Crowley for lease of Brooklyn Basin lands occupied by him to a conclusion, failing which, legal action should be resorted to.

ADJOURNED:

  
SECRETARY

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

of the

PORT OF OAKLAND

Held on Monday, August 1, 1938, at the hour of 3:30 p.m., in the office of the Board, Room 75, Grove Street Pier, due written notice of such meeting having been given members of the Board.

Commissioners present: Colbourn, Dr. Pardee and President  
McElroy -3-

Commissioners absent: Fisher, and Roland on leave -2-

The minutes of the regular meeting of July 25, 1938 were read, approved and adopted.

Communication from Alcor Aircraft Corporation, advising they are terminating their occupancy in Hangar No. 4 on July 31 and that past due rental will be paid as soon as payment is received from the insurance companies on their plane which was destroyed, was filed. The Port Manager stated that he had arranged for rental of the space occupied by the Alcor Aircraft Corporation.

Communication from Captain R. C. Mangrum, expressing appreciation for cooperation given by Port staff during the recent annual training period of the U. S. Marine Corps Reserve Aviation Unit at Oakland Municipal Airport, was filed.

Communication from the Board of Fire Underwriters of the Pacific, approving sprinkler system as installed at the Ninth Avenue Pier by Geo. M. Robinson & Co., was filed.

The Port Manager's Certificate of Completion of contract with Geo. M. Robinson & Co. for installation of sprinkler system at Ninth Avenue Pier Extension, was filed.

Communication from Aircraft Services, advising they are discontinuing occupancy of Rooms 220 and 222 in Hangar No. 2, Oakland Municipal Airport, as of July 31 and requesting rental of loft room 230 M in Hangar No. 2, was filed and request for rental of loft room granted.

Communication from Western Aircraft Distributors, requesting rental of Rooms 220 and 222 and 225 M in Hangar No. 2 at the Oakland Municipal Airport for use as a salesroom for aircraft parts, etc., was read and the Port Manager directed to arrange for the rental of space to Western Aircraft Distributors.

Communication from the Port Attorney, reporting on scope of decision of State Supreme Court confirming municipalities' ownership of tidelands, was filed.

Communication from the Port Manager, recommending passage of a resolution cancelling Port Revolving Fund checks drawn in favor of Bay Cities

Transportation Co. for services rendered and transmitting report of the Port Accountant in respect to the handling of this transaction with the City Auditor, was read and resolution later passed authorizing the crediting of the Bay Cities Transportation Company's account and the cancellation of the checks, as set forth in the report.

Communication from Wm. L. Edwards, Port Maintenance Laborer, requesting fourteen days' leave of absence, without pay, for personal reasons, was read and resolution later passed granting leave, without pay, as requested.

Communication from Independent Construction Co., requesting seven days' extension of time for completion of paving contract at Ninth Avenue Terminal, the delay being caused by a teamsters' strike which held up the work, was read and resolution later passed granting seven days' extension of time as recommended by the Port Manager, subject to approval by the Public Works Administration.

Copy of report of City Manager J. F. Hassler on affairs of the City for the month of June, 1938 was filed.

Communication from the Observer Publishing Company, requesting a Port advertisement in its 27th Birthday Edition of August 20th, was read and the Port Manager directed to advise the Observer that the Board would not arrange to take advertising space in its August 20th anniversary issue.

Communication from the Oakland Yacht Club, requesting repairs be made at the Yacht Harbor at the foot of 19th Avenue, was read and the Port Manager was directed to arrange for the repairs to be made and that advantage of the Works Progress Administration should be taken, if it is possible to so arrange.

Communication from the Port Attorney, relative to the status of bridges across tidal canal with recommendation that the Board of Supervisors, the Public Works Administration and the City of Alameda be advised that the Oakland Charter requires a permit from the Board of Port Commissioners for authority to erect bridge structures in the Port area, was read and the Port Attorney was directed to address communication, draft of which was read, to the County Supervisors and others, in accordance with the recommendation contained in his letter.

Letter from Lt. Governor George Hatfield, expressing interest in opinion advising as to authority of the Board to grant military leaves of absence, was filed.

Certified copy of City Council's Resolution No. 6729 C.M.S., passed July 26th, being joint resolution with the Board's Resolution No. 4754,

petitioning the Board of Supervisors of Alameda County to annex to the City of Oakland the 40 acre tract easterly and adjoining the Airport, which was recently purchased by the Board, was filed. It was announced that this joint resolution was now being transmitted to the Supervisors by the City Clerk.

The Port Manager reported as follows on the status of certain funds as of July 29, 1938:

<u>Harbor Maintenance and Improvement Fund (No. 226)</u>	
Unencumbered Cash Balance as of July 29, 1938.....	\$15,306.12
Set up in Special Funds 220 and 222 .....	95,000.00
Total Unencumbered Cash in all revenue funds	
as of July 29, 1938 .....	110,306.12
Total Unencumbered Cash in all revenue funds	
as of June 30, 1938 .....	41,864.39
 <u>1925 Oakland Harbor Improvement Fund (No. 567)</u>	
Cash Balance as of July 29, 1938 .....	215,035.15

The Port Manager verbally reported that a careful examination of the concrete mixer, for use at Oakland Municipal Airport under Works Progress Administration Project No. 8714, offered by Lee J. Immel on a rental basis of \$98.00 per month, had been made and he recommended that Mr. Immel's bid, which is the lowest of the bids received by the Board at its meeting of July 18th, be accepted and a resolution was later passed awarding the contract to Lee J. Immel.

The Oakland Airport Transportation Service report of income and expense for June, 1938, showing loss of \$72.08, was filed.

The reports of the Auditing Committee on weekly payrolls, and on claims and demands, were adopted.

The following resolutions were introduced and passed by the following vote:

AYES: Commissioners Colbourn, Pardee and President McElroy -3-  
 NOES: None  
 ABSENT: Commissioners Fisher and Roland -2-

"RESOLUTION NO. 4755

RESOLUTION APPROVING WEEKLY PAYROLLS,  
 RATIFYING ALL HIRINGS AND EMPLOYMENTS  
 THEREIN AND REIMBURSING PORT REVOLVING FUND.

BE IT RESOLVED THAT THE weekly pay rolls for the weeks ending July 19 and July 26, 1938 be and the same are hereby approved and the hiring or employment of each and all of the services therein set forth at the compensations therein paid is hereby ratified, confirmed and approved, and

BE IT FURTHER RESOLVED that the demand against the Harbor Maintenance and Improvement Fund for the reimbursement of the Port Revolving Fund in the amount set forth therein, having been approved by the Auditing Committee, is hereby approved and allowed, and the City Auditor be and he is

hereby authorized and directed to draw his warrant for the same and make such reimbursement.

HARBOR MAINTENANCE AND IMPROVEMENT FUND:

Port Revolving Fund Pay Rolls - \$7,661.45".

"RESOLUTION NO. 4756

RESOLUTION APPROVING AND ALLOWING CERTAIN CLAIMS AND DEMANDS.

RESOLVED: That the following claims and demands, having been approved by the Auditing Committee, be and the same are hereby approved and allowed by the Board of Port Commissioners and the Auditor is authorized to draw his warrant for the same out of the proper Fund:

HARBOR MAINTENANCE AND IMPROVEMENT FUND:

American District Telegraph Company	\$ 1.00
Baker, Hamilton & Pacific Company	163.48
Bay City Iron Works	18.30
Bigge Drayage Company	10.00
Geo. R. Borrmann Steel Company	6.90
Calaveras Cement Company	446.75
California Pottery Company	154.49
Cochran & Celli	22.78
Coos Bay Lumber Company	121.23
Henry Cowell Lime and Cement Co.	69.72
Dieterich-Post Company	22.94
Down Town Battery & Electric Co., Inc.	1.59
East Bay Glass Company	6.98
East Bay Municipal Utility District	516.99
The Electric Corporation	114.35
Golden Gate Sheet Metal Works	41.20
Greenwood Printers Ltd.	34.25
H. & M. C. Co.	1.80
The Hancock Oil Co. of Calif.	327.69
Heafey-Moore Co.	19.55
Independent Carrier Co., Ltd.	40.00
Industrial Equipment Company	15.00
Ingersoll-Rand Company	26.27
International Business Machines Corporation	5.00
E. & R. James Co.	18.37
L. N. "Len" Johnson-Typewriters	12.50
Geo. A. Kreplin Co.	2.93
Lawton & Williams	68.44
The Marine Exchange of the San Francisco Chamber of Commerce	10.00
Maxwell Wholesale Hardware Company	51.18
Melrose Lumber & Supply Co.	54.12
Merchants Express Corporation	.87
National Lead Company	26.01
Neptune Meter Company	.78
Oakland Air Port Transportation Service	200.00
Oakland National Engraving and Gravure Co.	51.99
Oakland Plumbing Supply Co.	8.97
Pacific Coast Aggregates, Inc.	59.04
Pacific Gas and Electric Company	1,365.11
The Pacific Telephone and Telegraph Company	25.01
Pacific Tool and Supply Company	3.94
The Paraffine Companies, Inc.	343.51
Peterson Tractor & Equipment Co.	269.88
Powell Bros. Inc.	243.41
Ransome Company	140.63
Richfield Oil Corporation	22.41
Royal Typewriter Company	3.50
Sentinel Sanitary Supply Company	45.71
Shields, Harper & Co.	1.39
B. Simon Hardware Co.	28.69
Smith Brothers	33.61
Southern Pacific Company	13.00
Standard Oil Company of California	5.18
Strable Hardwood Company	5.53
Clyde Sunderland	46.35
Sunset Lumber Company	10.29
Superior Rock Co.	76.01

Thompson Aviation Publishers	\$ 4.00
Tide Water Associated Oil Company	49.02
The Timberman	3.00
Transit Concrete	72.96
The Tribune Press	175.00
The Tribune Publishing Co.	117.50
Underwood Elliott Fisher Company	11.50
Waters Bros., Inc.	.98
Whitthorne & Swan	.62
White Investment Company	50.00
Yacht Sales & Service Co.	22.87
Port Revolving Fund - Miscellaneous	<u>608.73</u>
	6,552.80"

"RESOLUTION NO. 4757

RESOLUTION EXTENDING TIME  
FOR PERFORMANCE OF CONTRACT  
WITH INDEPENDENT CONSTRUCTION  
CO., LTD., A corporation.

BE IT RESOLVED that, good cause appearing therefor, the time for the performance of the contract with Independent Construction Co., Ltd., a corporation, for construction of pavement for extension to Ninth Avenue Pier (P.W.A. 1629-DS) be and the same is hereby extended to and including August 10, 1938.

BE IT FURTHER RESOLVED that it is proposed to waive liquidated damages for the period of said extension of time, provided such waiving meets with the approval of the Public Works Administration."

"RESOLUTION NO. 4758

RESOLUTION AWARDING CONTRACT  
FOR RENTAL OF CONCRETE MIXER.

BE IT RESOLVED that the contract for the furnishing, on a rental basis, of one three-quarter cubic yard capacity concrete mixer for use at Oakland Municipal Airport, be and the same is hereby awarded to LEE J. IMMEL, an individual, as the lowest responsible bidder, in accordance with the terms of his bid, filed July 18, 1938.

BE IT FURTHER RESOLVED that, pursuant to the specifications, the certified check accompanying said bid shall be held as bond as a guarantee of the faithful performance of said contract, for the total rental period. At and upon completion thereof, said certified check shall be returned to said Lee J. Immel.

BE IT FURTHER RESOLVED that the other bid received for said contract be and it is hereby rejected and the check accompanying it shall be returned to the proper person."

"RESOLUTION NO. 4759

RESOLUTION ACCEPTING CONTRACT WITH  
GEO. M. ROBINSON, AN INDIVIDUAL  
DOING BUSINESS UNDER THE STYLE OF  
GEO. M. ROBINSON & CO., FOR SPRINKLER  
SYSTEM, AND AUTHORIZING RECORDATION  
OF NOTICE OF COMPLETION.

RESOLVED that Geo. M. Robinson, an individual doing business under the style of Geo. M. Robinson & Co., having duly installed a sprinkler system for substructure of extension to Ninth Avenue Pier, pursuant to his contract dated February 28, 1938, (Auditor's No. 6438) under P.W.A. Project No. 1629-DS, and having faithfully performed all the terms and conditions of said agreement with the City of Oakland, said contract is hereby accepted.

BE IT FURTHER RESOLVED that all the actions taken and orders issued by the Port Manager and Chief Engineer in connection with the performance of said contract be and the same are hereby ratified, confirmed and approved on behalf of the City of Oakland.

BE IT FURTHER RESOLVED that a Notice of Completion on said contract be duly recorded in the office of the Recorder of Alameda County."



"RESOLUTION NO. 4760

RESOLUTION GRANTING LEAVE  
OF ABSENCE WITHOUT PAY TO  
WILLIAM L. EDWARDS, PORT  
MAINTENANCE LABORER.

RESOLVED that William L. Edwards, Port Maintenance Laborer, (Port Ordinance No. 222, Section 5.03), is hereby granted a leave of absence for personal reasons, without pay, said leave to be for a period of 14 consecutive calendar days commencing August 9, 1938."

"RESOLUTION NO. 4761

RESOLUTION PROVIDING FOR THE  
CREDITING OF ACCOUNT OF BAY  
CITIES TRANSPORTATION COMPANY  
WITH CERTAIN FUNDS.

Whereas Bay Cities Transportation Company is indebted to the Port of Oakland in the amount of \$3,378.82 for rent and dockage accrued in 1936 and 1937, which sums have not been paid by the company due to its request that an adjustment should be made owing to the fact that such charges were augmented because of the existence at the time of their incurrence of a maritime strike, and

Whereas, this Board has duly considered the matter and deems that such an adjustment would not be proper, and said charges should be paid, and

Whereas, from time to time since the incurrence of such charges, the port has acquired the services of said company in transporting cargo and has issued Port Revolving Fund checks in the total amount of \$3,378.99, as more particularly shown in a report of the Port Accountant dated July 28, 1938, filed with this Board by the Port Manager, and said checks have not been delivered to the company, or the amounts represented thereby otherwise paid to it, and

Whereas, the city charter provides that no demand upon the treasury of the city shall be allowed in favor of any company who is in any manner indebted to the city upon an obligation due the city, without first deducting therefrom the amount of such indebtedness (Section 122), now therefore,

BE IT RESOLVED that the said Port Revolving Fund checks, as itemized in the Port Accountant's said report, be deposited with the City Treasurer, and the total amount thereof, to-wit, \$3,378.99 be credited to the account of said Bay Cities Transportation Company in settlement of its said indebtedness, the balance thereof, to-wit, 17 cents, to be applied against its current payments due the Port, and

BE IT FURTHER RESOLVED that a certified copy of this resolution be forthwith forwarded to said Company, to the City Auditor, and to the City Treasurer."

Port Ordinance No. 287, being "AN ORDINANCE AWARDED A LEASE OF CERTAIN PROPERTY AND APPURTENANCES NEAR THE FOOT OF 19TH AVENUE, A PUBLIC STREET, TO ATLAS IMPERIAL DIESEL ENGINE CO., A CORPORATION, DETERMINING THAT NOTICE OF INTENTION TO AWARD SAID LEASE HAS BEEN DULY GIVEN AND THAT SAID BIDDER WAS THE HIGHEST RESPONSIBLE BIDDER FOR SAID LEASE AT THE HIGHEST RENT AND THAT IT IS TO THE PUBLIC INTEREST THAT SAID BID BE ACCEPTED: ACCEPTING SAID BID FOR SAID LEASE, AND AUTHORIZING AND DIRECTING THE EXECUTION THEREOF," having been duly introduced, read

and published, was finally adopted by the following vote:

- AYES: Commissioners Colbourn, Fardee and President McElroy -3-
- NOES: None
- ABSENT: Commissioners Fisher and Roland -2-

The Board further considered the request of the Oakland Tribune for a page advertisement in its Aug. 7th issue, commemorating the 75th anniversary of the State Harbor Board, and upon receiving verbal report of the Port Manager, it was ordered that the Tribune be advised that no advertising space would be taken in this issue.

The Port Manager stated that a joint meeting of the Chamber of Commerce Harbor and Traffic Committees would be held August 5th to consider position to be taken by local interests in respect to hearing to be held by the U. S. Engineers at Sacramento, on August 16th, regarding deep water ship channel to Sacramento.

The Port Manager stated that he had received a written offer from R. C. Porter of Oakland to remove the submerged Ferry Boat "Golden Gate" from the Outer Harbor, provided title to the boat can be given him, and the Port Manager and Port Attorney were instructed to endeavor to obtain such title as is possible to obtain from present owners, with a view of tendering same to Mr. Forter, to cause the removal of the boat from the Outer Harbor, under contract arrangement with Mr. Porter, if satisfactory title can be obtained.

Captain Cunningham, Commander of U. S. Naval Reserve at Oakland Municipal Airport, together with Lieutenant Sartoris, met with the Board and discussed the needs of the Navy for expansion at the Airport. A plan of a proposed hangar 150' x 300', with two lean-tos and concrete aprons, which was presented by the Port Manager and which, including all the facilities required for the present and future needs of the Navy, was studied. It was estimated that this hangar would cost about \$318,000 and if built under a F.W.A. grant, the cost to the Port would be about \$175,000. Reference was made to a former report of the Port Manager, in respect to enlarging the present Hangar No. 3, now occupied by the Navy, at a cost of \$108,000, but it was pointed out that if this addition were constructed, no new space would be made available for the Army and others who have requested additional space. After further consideration, the Port Manager was instructed to submit a project to the Public Works Administration covering the construction of the new hangar, but by so doing, no commitments would be made at this time as to proceeding with the construction of the hangar and that further consideration would be given the matter of construction of the hangar in the event the grant would be forthcoming from the Public Works Administration. After Captain

Cunningham and Lieutenant Sartoris had taken leave, further consideration was given to the construction program at the Airport and it was the consensus of the Board that any large expenditure of funds should depend on the decision of the United Air Lines as to the construction of their shops at the Airport. In this respect, the Port Manager stated that Mr. Patterson, President of United Air Lines, had made a hurried trip to the bay area during the past week, but that he would return in about three weeks, at which time some conclusion regarding their proposed development may be determined.

It was reported that Mr. Tom Crowley had returned from his eastern trip and had stated that he would meet with the Board at its next meeting, to further discuss the rental of waterfront lands in the Brooklyn Basin, which he is now occupying.

It was reported that Congressman Patrick J. Boland of Pennsylvania, member House Naval Affairs Committee, had visited the Naval Supply Base in company with President McElroy and others on July 29 and had made very favorable comments in respect to the site.

The Board's attention was called to the dedication of the new Livermore Pass Highway on August 4th and it was indicated that one of the members might attend the ceremonies and represent the Board.

It was reported that the first official flight of the radiometeorograph balloon at Oakland Municipal Airport took place at 12:34 a.m. on July 24th, that the balloon ascended to 49,700 feet before bursting and that a temperature of -97 degrees below zero was recorded at that elevation.

From press reports it was noted that the Canadian Pacific Pier "D" at Vancouver, B. C., a 1000-foot pier, was destroyed by fire on July 27th, and that the loss exceeded one million dollars.

The Port Manager stated that the U. S. Engineers had called the Alameda County Supervisors' attention to the weakened condition of the Fruitvale Bridge and had suggested repairs, which they considered necessary.

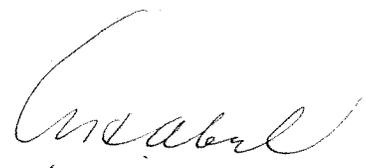
The Port Attorney reported that he had prepared a brief, which would be filed this week with the Maritime Commission in proceedings regarding reconsideration of extension of intercoastal steamship rate to shallow-water ports such as Sacramento.

The Port Attorney stated he had prepared drafts of long term leases with California Foundries, Inc., Moore Dry Dock Company and S. T. Johnson, and analysis of objections of General Engineering & Dry Dock Co. lease and had forwarded them to the respective firms for their approval.

The attention of the Board was called to the loss of the Pan

American Clipper "Hawaii" with six passengers and a crew of nine, which disappeared on its flight between Guam and Manila on July 28th and that apparently all lives were lost, including Traffic Manager K. A. Kennedy, formerly with the Boeing School of Aeronautics.

ADJOURNED.

  
SECRETARY

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS  
of the  
PORT OF OAKLAND

Held on Monday, August 8, 1938, at the hour of 3:30 p.m., in the office of the Board, Room 75, Grove Street Pier, due written notice of such meeting having been given members of the Board.

Commissioners present: Colbourn, Dr. Pardee and President  
McElroy -3-

Commissioners absent: Fisher, and Roland on leave -2-

The minutes of the regular meeting of August 1, 1938, were read, approved and adopted.

Communication from City Manager J. F. Hassler, requesting reply to his letter on behalf of the City Council for a contribution of \$25,000.00, was read and after discussion, the Port Manager was directed to advise Mr. Hassler that after a further careful review of finances and the obligations which had to be met in respect to maintenance work and new improvements at the Port, and especially at the Airport, it would not be possible to make the contribution of \$25,000.00 to the City Council for its general fund.

Communication from the Port Manager, advising that forty-four cases of canned goods with dented tins had accumulated at the Outer Harbor Terminal, and recommending that they be turned over to the City Manager for feeding the City prisoners, was read and resolution later passed directing the Port Manager to turn over these canned goods to the City Manager.

Communication from the Port Manager, recommending that the paving of the East and West Runway at Oakland Municipal Airport be undertaken at this time and requesting authority to advertise for bids for materials, was read and resolution later passed approving the specifications and authorizing advertising for bids for the materials required for this paving.

Communication from the Port Manager, recommending the purchase of one additional lumber carrier for use at Ninth Avenue Terminal, was read and resolution later passed approving specifications and authorizing advertising for bids for the lumber carrier.

Communication from the Port Manager, recommending the placing of an airport advertisement, at a cost of \$65.00, in the aviation magazine "The Pilot", which is issuing a special Airport Guide for pilots, was read and authorization granted for the advertisement as recommended.

Communication from the Port Manager, recommending advancement of William Seely from Dock Clerk to Dock Clerk Supervisory, to fill the position left vacant by the advancement of R. J. Wells to Assistant Terminal Superintendent, was read and resolution later passed, advancing Mr. Seely from Grade "E" Dock Clerk to Grade "I" Dock Clerk.

Communication from the Port Manager, recommending construction of wire fence at the inner or shore end of the oil pier, at a cost of \$187.00, to safeguard the pier from trespassers, was read and authorization granted for the construction of the wire fence with gates.

Communication from Rear Admiral D. W. Bagley, Acting Commandant 12th Naval District, thanking the Board for berthing of Navy vessels during the visit of the fleet, was filed.

Communication from Carl N. Olsen, requesting leave of absence of eight days, without pay, for personal reasons, was read and resolution later passed granting the request for leave without pay.

Communication from the Port Attorney, transmitting copy of brief submitted to the Maritime Commission on Docket No. 485, Intercoastal Joint Rates Via On-Carriers, was filed.

Communication from the Public Works Administration, approving without penalty the extension of time of contract to August 31, 1938, which was granted Healy-Tibbitts Construction Co. by the Board's Resolution No. 4749, was read and resolution later passed waiving liquidated damages on account of the extension of time previously granted by resolution.

Communication from the Public Works Administration, approving without penalty the extension of time of contract to August 10, 1938, which was granted to Independent Construction Co. by the Board's Resolution No. 4757, was read and resolution later passed waiving liquidated damages on account of the extension of time previously granted by resolution.

Communication from the Association of Men with Wings, Inc., requesting the Board's moral support toward a movement to obtain the return of the



original Wright airplane which made history at Kittyhawk in 1903, was read and it being the consensus of the Board that the support of the movement should come from individuals in the aviation industry, it was suggested that signatures to the petition accompanying the communication be obtained from those parties at the Oakland Municipal Airport who may see fit to endorse the movement.

Communication from the Assistant Port Attorney, transmitting copy of issue of California Decisions containing opinion of State Supreme Court in the Long Beach case, was filed.

The Port Manager reported as follows on the status of certain funds as of August 5, 1938:

<u>Harbor Maintenance and Improvement Fund (No. 226)</u>	
Unencumbered Cash Balance as of August 5, 1938 .....	\$ 36,037.10
Set up in Special Funds 220 and 222 .....	95,000.00
Total Unencumbered Cash in all revenue funds	
as of August 5, 1938 .....	131,037.10
Total Unencumbered Cash in all revenue funds	
as of July 31, 1938.....	103,267.40
 <u>1925 Oakland Harbor Improvement Fund (No. 567)</u>	
Cash Balance as of July 31, 1938 .....	215,035.15

Report of the Port Manager, submitting comparative statement of condition of Harbor Maintenance and Improvement Fund No. 226 for June and July, 1938 and July, 1937, as prepared by the Chief Port Accountant, was filed.

Report of the Port Manager on progress of the Port for the month of July, 1938, was filed.

Report of the Port Manager, submitting operating report of the Oakland Municipal Airport for July, showing an average of 102.7 airplanes hangared at the airport, was filed.

Report of the Port Manager, submitting comparative statement of accounts receivable for July, 1938, as prepared by the Chief Port Accountant, was filed.

Mr. Tom Crowley, accompanied by Mr. Crowley Jr., met with the Board for further discussion of the rental of property occupied at the foot of 14th Avenue in the Brooklyn Basin area. Mr. Crowley stated that he had been absent from the City for a considerable period and that he desired to arrive at a conclusion with the Board in respect to the rental matter, which has been under consideration for sometime. Mr. Crowley again made an offer of \$100.00 per month for the property. The minutes of the previous meetings at which the Board had discussed the matter with Mr. Crowley were read, together with copy of communication to Mr. Crowley in which a definite offer of \$125.00 had been made, and it was shown by the minutes that full consideration had been given to the uncertainties as to the use of the property, due to the proposed East Shore Highway location, which would run through the property adjacent to the Southern Pacific right-

of-way, where Mr. Crowley's machine shop is now located. It was clearly indicated that the Board had previously reduced its offer from \$225.00 to \$125.00, due to this and other conditions. It was the consensus of the Board that no further deduction should be made to meet Mr. Crowley's offer of \$100.00 per month rental.

After further discussion, Mr. Crowley agreed to pay \$125.00 as offered and the Board directed that an agreement be drawn up on a month to month basis at \$125.00 per month rental, which should continue until such time as the uncertain conditions, relative to the construction of the State Highway through the property and the possible change in pierhead line, were determined.

It was further stated that the rental should be made retroactive to July 1, 1936; however, Mr. Crowley said that it was his belief that the retroactive rental should apply only from November 1, 1936, in accordance with resolution adopted by the Board. To this, President McElroy remarked that this issue would be looked into by the Attorney.

It was reported that at a joint meeting of the Chamber of Commerce Traffic and Harbor Committees on August 5, called to consider action to be taken in respect to the U. S. Engineers' hearing at Sacramento on August 16 on the ship channel to Sacramento, it was decided to recommend to the Board of Directors of the Chamber that any representation at the hearing, if made, should be made jointly by San Francisco and Oakland Chambers and that the San Francisco Chamber and Shipping Interests should be interviewed as to their attitude.

In respect to the annexation of the triangular parcel of land recently purchased adjacent to the Airport, the Assistant Port Attorney reported that the Supervisors had passed a resolution causing notice to be published, setting Tuesday, August 9 at 11:00 o'clock a.m. as the time for hearing objections and that if there were no objections, the resolution approving annexation would be passed at that time.

The Assistant Port Attorney reported that in the Mileage Gasoline case the Federal Court had decided against the City and it was understood that the City Attorney's office does not contemplate appeal.

The Port Manager called attention of the Board to a considerable increase in transport passengers handled at the Oakland Municipal Airport as follows:

	<u>Year</u>	<u>May</u>	<u>June</u>	<u>January-June</u>
	1938	4076	5018	19,614
	1937	2961	3440	13,105

It was further reported that the transport passengers handled

at San Francisco Airport during June, 1938 were 4802, or 216 less than at Oakland, and that during July, 1938, 33 transport planes arrived and 50 transport planes departed from Oakland Municipal Airport which could not use San Francisco Airport, due to adverse weather conditions.

The Board's attention was called to the fire at the Southern Pacific creosoting plant which destroyed about \$100,000 worth of creosoted material and made a very spectacular fire Sunday night, August 7th.

The attention of the Board was called to the celebration of San Francisco's 75th anniversary of its harbor on August 6th. It was noted that Mr. Ralph W. Meyers, President of the Shipowners of the Pacific, voiced the opinion that the harbor should remain in the hands of the State, and that Patrick H. Meherin, President of the Harbor Board, painted a gloomy picture for the future unless labor troubles cease.

The reports of the Auditing Committee on weekly payrolls, and on claims and demands, were adopted.

The following resolutions were introduced and passed by the following vote:

- AYES: Commissioners Colbourn, Pardee and President McElroy -3-
- NOES: None
- ABSENT: Commissioners Fisher and Roland -2-

"RESOLUTION NO. 4762

RESOLUTION APPROVING WEEKLY PAYROLL, RATIFYING ALL HIRINGS AND EMPLOYMENTS THEREIN AND REIMBURSING PORT REVOLVING FUND.

BE IT RESOLVED that the weekly payroll for the week ending August 2, 1938 be and the same is hereby approved and the hiring or employment of each and all of the services therein set forth at the compensation therein paid is hereby ratified, confirmed and approved, and

BE IT FURTHER RESOLVED that the demand against the Harbor Maintenance and Improvement Fund for the reimbursement of the Port Revolving Fund in the amount set forth therein, having been approved by the Auditing Committee, is hereby approved and allowed and the City Auditor be and he is hereby authorized and directed to draw his warrant for the same and make such reimbursement.

HARBOR MAINTENANCE AND IMPROVEMENT FUND:  
 Port Revolving Fund Payroll .....\$5,421.13"

"RESOLUTION NO. 4763

RESOLUTION APPROVING AND ALLOWING CERTAIN CLAIMS AND DEMANDS.

RESOLVED: That the following claims and demands, having been approved by the Auditing Committee, be and the same are hereby approved and allowed by the Board of Port Commissioners and the Auditor is authorized to draw his warrant for the same out of the proper Fund:

HARBOR MAINTENANCE AND IMPROVEMENT FUND:

Payrolls - Administrative Department	\$	2,182.82
" - Airport		746.78
" - Engineering Department		2,209.88
" - Grove & Market Street Piers		1,618.15
" - Maintenance Department		3,300.08
" - Ninth Avenue Pier		668.77

Payrolls - Outer Harbor Terminal	\$ 5,760.02
" - Traffic Department	1,367.50
Port Revolving Fund - Misc.	61.09
American Brass & Copper Co.	5.52
Blake, Moffitt & Towne	26.57
Geo. R. Borrmann Steel Company	210.08
Cochran & Celli	4.29
Colyear Motor Sales Company	18.40
The Electric Corporation	9.20
Haiden Auto Parts, Ltd.	3.03
Hill & Morton, Inc.	27.60
Hoffmeyer Belting & Supply Co.	3.09
Hogan Lumber Company	47.95
Laird's Stationery	2.07
C. W. Marwedel	9.83
Maxwell Wholesale Hardware Company	173.32
Melrose Lumber & Supply Co.	70.00
National Lead Company	81.33
Oakland Plumbing Supply Co.	23.42
Pacific Coast Aggregates, Inc.	55.30
Pacific Tool and Supply Company	2.93
C. Stuart Phister	122.50
Sentinel Sanitary Supply Company	18.68
B. Simon Hardware Co.	43.03
Smith Brothers	3.58
State Electric Supply, Ltd.	8.88
Sterling Press	4.04
Strable Hardwood Company	40.77
A. C. Meadows	21.86
Thos. H. Moore	33.95
Geo. H. Nash	29.15
J. S. Saunders	26.98
L. M. Clough Co.	5,890.06
Powell Bros., Inc.	1,280.60
Harold Wiltermood	19.16
1925 OAKLAND HARBOR IMPROVEMENT BOND FUND:	
Geo. M. Robinson & Company	1,651.68
Healy-Tibbitts Construction Co.	2,557.50
	\$30,441.42. "

"RESOLUTION NO. 4764

RESOLUTION AUTHORIZING DISPOSITION  
OF DAMAGED CANNED GOODS FOR USE  
IN CITY JAIL.

BE IT RESOLVED that the Port Manager is hereby authorized to turn over 44 cases of damaged canned goods to the City Manager, being cargo handled over the Outer Harbor Terminal, said canned goods to be used in feeding prisoners in the City Jail."

"RESOLUTION NO. 4765

RESOLUTION WAIVING LIQUIDATED  
DAMAGES FOR DELAY IN PERFORMANCE  
OF CONTRACT BY INDEPENDENT CON-  
STRUCTION CO., LTD., a corporation.

Whereas, by Resolution No. 4757 passed August 1, 1938, this Board of Port Commissioners duly extended the time of performance of the contract of Independent Construction Co., Ltd. for the construction of pavement for extension to Ninth Avenue Pier (P.W.A. 1629-DS) to and including August 10, 1938, and proposed the waiver of liquidated damages upon securing the approval of the Public Works Administration, and

Whereas, said Public Works Administration has approved such extension of time, and said proposed waiver of such damages, and it appears to this Board that the delay in the performance of such contract was due to strike conditions, and such damages should be waived, now therefore,

BE IT RESOLVED that liquidated damages for the said extended period to and including August 10, 1938 be and the same are hereby waived."

"RESOLUTION NO. 4766

RESOLUTION WAIVING LIQUIDATED  
DAMAGES FOR DELAY IN PERFORMANCE  
OF CONTRACT BY HEALY-TIBBITTS  
CONSTRUCTION CO., A CORPORATION.

Whereas, by Resolution No. 4749 passed July 25, 1938, this Board of Port Commissioners duly extended the time of performance of the contract by Healy-Tibbitts Construction Co. for the construction of an extension to 9th Avenue Pier (P.W.A. 1629-DS) to and including August 31, 1938, and proposed the waiver of liquidated damages upon securing the approval of the Public Works Administration, and

Whereas, said Public Works Administration has approved such extension of time, and said proposed waiver of such damages, and it appears to this Board that the delay in the performance of such contract was due to unanticipated and unavoidable physical conditions, and such damages should be waived, now therefore,

BE IT RESOLVED that liquidated damages for the said extended period to and including August 31, 1938 be and the same are hereby waived."

"RESOLUTION NO. 4767

RESOLUTION AUTHORIZING ADVERTISEMENT FOR BIDS  
FOR PAVING MATERIAL.

BE IT RESOLVED that the Secretary of this Board be and he is hereby authorized to advertise for five consecutive days in the official newspaper for sealed proposals for furnishing material for paving the east and west runway at Oakland Municipal Airport, in accordance with the specifications heretofore approved by this Board in Port Resolution No. 4605."

"RESOLUTION NO. 4768

RESOLUTION ADOPTING SPECIFICATIONS  
FOR FURNISHING OF A LUMBER CARRIER.

BE IT RESOLVED that the specifications and other provisions relative thereto filed with the Board for the furnishing of a lumber carrier for use at Ninth Avenue Terminal, and the manner indicated for the payment therefor be and the same are hereby approved.

BE IT FURTHER RESOLVED that the Secretary be authorized to advertise for five consecutive days in the official newspaper for sealed proposals for the supplies to be furnished, as required by law."

"RESOLUTION NO. 4769

RESOLUTION GRANTING LEAVE OF ABSENCE  
WITHOUT PAY TO CARL N. OLSEN, PORT WATCHMAN.

RESOLVED that Carl N. Olsen, Port Watchman, (Port Ordinance No. 222, Section 8.21), is hereby granted a leave of absence for personal reasons, said leave to be for a period of 8 days commencing August 17, 1938, without pay."

"RESOLUTION NO. 4770

RESOLUTION INVITING PACIFIC COAST  
ASSOCIATION OF PORT AUTHORITIES TO  
HOLD ITS 1939 CONVENTION IN OAKLAND.

Whereas, the Pacific Coast Association of Port Authorities will hold its annual convention at Portland, Oregon, on August 17-20, 1938, and at that time, among other things, will select the place for its gathering in the fall of 1939; and

Whereas, it is the sense of this Board that it would be fitting and proper for such convention to be held in the City of Oakland, and that it would be to the pleasure of this Board to act as host to the deliberations of the Association; now, therefore, be it

RESOLVED that this Board hereby extends a cordial invitation to the Pacific Coast Association of Port Authorities to hold its 1939 convention in the City of Oakland; and be it further

RESOLVED that the Port Manager be and he is hereby directed to transmit this invitation to the Association at its forthcoming convention."

"RESOLUTION NO. 4771

RESOLUTION PROVIDING FOR TRANSFER OF \$20,000 FROM PORT REPLACEMENT AND IMPROVEMENT FUND NO. 483 TO HARBOR MAINTENANCE AND IMPROVEMENT FUND NO. 480.

BE IT RESOLVED that the amount of \$20,000 is hereby transferred from Port Replacement and Improvement Fund No. 483 (Appropriation No. 220) to Harbor Maintenance and Improvement Fund No. 480 (Appropriation No. 226); said transfer to take effect immediately.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be transmitted to each the City Auditor and the City Treasurer, and the said officials are hereby authorized and directed to make the necessary entry on their books to effect said transfer."

"RESOLUTION NO. 4772

RESOLUTION ADVANCING W. M. SEELY FROM GRADE "E" TO GRADE "I" AS DOCK CLERK.

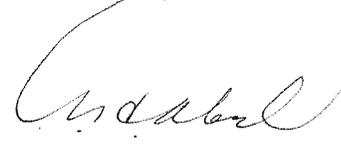
BE IT RESOLVED that W. M. Seely, now employed as Dock Clerk, Grade "E", under Section 8.07 of Port Ordinance No. 222, at a salary of \$160 per month, is hereby advanced to Grade "I" at a salary of \$180 per month under said section, said advancement in salary to be effective August 16, 1938, at noon."

"RESOLUTION NO. 4773

RESOLUTION AUTHORIZING AGREEMENT WITH ALF GORSTROM.

BE IT RESOLVED that the Port Manager be and he is hereby authorized to enter into an agreement with Alf Gorstrom, as Licensee, providing for the occupancy by Licensee of that certain building with dimensions of 30 feet x 50 feet in the vicinity of 7th Avenue Extended, on a month to month basis at a rental of \$10.00 per month, such agreement to be upon the general form of license agreement customarily used by this Board."

ADJOURNED.

  
\_\_\_\_\_  
SECRETARY

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

of the

PORT OF OAKLAND

Held on Monday, August 15, 1938, at the hour of 3:30 p.m., in the office of the Board, Room 75, Grove Street Pier, due written notice of such meeting having been given members of the Board.

Commissioners present: Colbourn, Fisher, Pardee, and President McElroy -4-  
Commissioner absent: Roland, on leave -1-

The Port Manager, Port Attorney, and Assistant Chief Engineer were also present.

The minutes of the regular meeting of August 8, 1938, were read, approved, and adopted.

Communications from L. B. Hewetson, Director Alameda County Advisory Council for Toy Loan Centers, requesting use without rental charge of south wing of office building in the North Industrial Area, Outer Harbor Terminal, for repairing toys and storing materials in connection therewith, on a month to month basis subject to immediate vacation on notice, and Walter P. Koetitz, Branch Manager of the Works Progress Administration, endorsing the toy loan project, were read and request granted with the understanding that all expense for light, heat and other public utilities would be paid for by the occupant of the building, and that upon surrendering the building, any repairs or reconditioning necessary would be performed by occupant and the building returned in the same condition as when received.

Communication from J. F. Hassler, City Manager, expressing thanks for 1584 tins of canned goods which had accumulated at the Outer Harbor Terminal and had been turned over to the City for the feeding of City prisoners, in accordance with the Board's Resolution No. 4764, was filed.

The Port Manager's Certificate of Completion of contract with Independent Construction Co. Ltd. for construction of pavement on extension to Ninth Avenue Pier, FWA Docket, Calif. 1629-DS, Contract No. 5, was filed.

Copy of Port Manager's letter of August 12, 1938 to City Manager Hassler, again advising that the Board was not in a position to contribute \$25,000 to the City's General Fund, was filed.

Communication from the Port Manager setting forth the need for a Dock Lift Truck for piling cargo at the Outer Harbor was read and action on this matter deferred for one week to permit further investigation.

Communication from Captain Geo. E. Henry, Army Air Reserve Unit, requesting the construction of a store room at the west end of Hangar No. 1B, for storing oil, paint, and other inflammable materials, and cupola over the parachute room on the mezzanine floor of the hangar, was read and request granted for the construction of these facilities under a Works Progress Administration project, the estimated cost of materials being \$300.00.

Communication from Raymond Salisbury, Attorney at Law, representing the Independent Construction Co., requesting that consideration be given to settlement of action No. 143200, filed in the Superior Court of Alameda County, on a basis of 55% of the claim, was read. After discussion, the Board determined

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that inasmuch as the Port had received the benefits from the paving at the Outer Harbor Terminal, the Board would be agreeable to the settlement of the claim on this basis, and the Port Attorney was instructed to prepare the necessary papers and resolutions for a settlement of this claim at the compromise figure of \$1358.28, which is 55% of the reasonable value of the extra work performed.

Certified copy of Resolution No. 32754, passed by the Board of Supervisors, annexing to the City of Oakland triangular area south of the Airport, which was recently purchased by the Board, was filed and the Port Attorney directed to take the steps necessary to secure the inclusion of this property in the Port area.

Communication from the Director of the Port of Stockton seeking aid of the Port in connection with the application of the City of Sacramento for the securing of a deep water channel to Sacramento was filed; the Board determining that no definite action would be taken by the Port in respect to this matter at this time inasmuch as the interests of the Port would be taken care of by the Oakland Chamber of Commerce representative, who is scheduled to attend the hearing. It is understood that representatives of the San Francisco Chamber of Commerce and various steamship companies will also appear and oppose the project.

Communication from the City Attorney of Long Beach expressing appreciation for the Port's aid in the Long Beach tideland case, was filed.

Copy of Summons and Complaint by the Clinton Mill & Lumber Co. against the City of Oakland, et al, which had been served upon President McElroy, was referred to the Port Attorney.

Communication from the Port Manager relative to suspension of C. E. McGinnis, Dock Clerk, was read and the action of the Port Manager approved.

The Board's attention was called to the San Diego Oriental cargo case which has been set for oral argument in Washington on August 16. The Port Attorney pointed out that ordinarily these cases are submitted entirely by briefs, but because of the importance of this case, oral arguments were apparently being permitted.

The matter of the controversy over the misconduct of the Chief of the State Lands Division and other employees of this Division, was brought to the attention of the Board inasmuch as press reports had mentioned that the opposition of the Chief of the State Lands Division to the Oakland tideland bills was part of a deal to secure a free twenty-five year lease to

the Southern Pacific Company for the State lands occupied by this company at the foot of Broadway. It was pointed out by the Port Attorney that the Chief of State Lands Division had always, more or less, opposed the City of Oakland in its attempts to secure the transfer of State tidelands to the City.

The Board was advised that the members of the Civil Aeronautics Authority, appointed by the President, assumed their positions on August 8, and that the supervision of aviation under this authority would begin on August 22.

The Board was advised of the return flight of the German trans-Atlantic passenger plane, The Brandenburg, direct from New York to Germany without making the tentative scheduled flight to the Oakland Municipal Airport in accordance with tentative arrangements which had previously been made. Press reports stated, however, that a round-the-world flight by this plane may be made, in which case Oakland Municipal Airport may be used.

The discontinuance of coastwise service on August 31 by the Luckenbach Steamship Co. was called to the attention of the Board and the Port Manager stated that the tonnage moving over the Grove Street Pier would not be greatly affected by this move inasmuch as other coastwise lines use the Grove Street Pier and that the tonnage formerly carried by this company would, undoubtedly, be shipped on other coastwise lines. It was further reported that the discontinuance of this service is an economy move on the part of the steamship company.

The Port Manager reported as follows on the status of certain funds as of August 12, 1938:

<u>Harbor Maintenance and Improvement Fund (No. 226)</u>	
Unencumbered Cash Balance as of August 12, 1938 .....	\$48,027.66
Set up in Special Funds 220 and 222 .....	75,000.00
Total Unencumbered Cash in all revenue funds	
as of August 12, 1938 .....	123,027.66
Total Unencumbered Cash in all revenue funds	
as of July 31, 1938 .....	103,267.40
 <u>1925 Oakland Harbor Improvement Fund (No. 567)</u>	
Cash Balance as of July 31, 1938 .....	214,141.65

The report of the Oakland Airport Transportation Service, showing a profit of \$96.87 in handling United Air Lines' passengers and a loss of \$134.90 in operation of the airport bus, a net loss of \$38.03, was filed.

The report of the Auditing Committee on claims and demands was adopted.

The following resolutions were introduced and passed by the following vote:

AYES: Commissioners Colbourn, Fisher, Pardee, and President McElroy -4  
NCES: None  
ABSENT: Commissioner Roland -1-

"RESOLUTION NO. 4774

RESOLUTION APPROVING AND ALLOWING  
CERTAIN CLAIMS AND DEMANDS.

RESOLVED: That the following claims and demands, having been approved by the Auditing Committee, be and the same are hereby approved and allowed by the Board of Port Commissioners and the Auditor is authorized to draw his warrant for the same out of the proper Fund:

HARBOR MAINTENANCE AND IMPROVEMENT FUND:

Air Reduction Sales Co.	\$ 23.36
American Bitumuls Company	7.15
The American Rubber Manufacturing Co.	211.46
Edward R. Bacon Company	200.00
Baker, Hamilton & Pacific Company	87.64
Sam Bates Company	192.75
Bay City Iron Works	.74
Bay City Lumber Company	81.97
Bigge Drayage Company	15.50
Blake, Moffitt & Towne	2.12
California Concrete Products Co.	17.64
California Pottery Company	165.85
California Rustproofing Company	21.98
J. Catucci	142.50
The Central Foundry Company	7.59
Frank R. Church	2.00
Cochran & Celli	9.24
Columbia Wood and Metal Preservative Co.	42.49
H. S. Crocker Company, Inc.	2.42
Dock Checkers Employers Association	111.72
Down Town Battery & Electric Co., Inc.	3.68
East Bay Glass Company	3.24
East Bay Municipal Utility District	71.12
The Electric Corporation	24.07
Fairbanks, Morse & Co.	7.00
The Fox Press	34.51
William Fulsaas	4.50
The A. J. Glesener Co.	9.60
The Hancock Oil Co. of Calif.	294.27
Hersey Inspection Bureau	32.40
Robert W. Hunt Company	22.75
Lee J. Immel	298.00
Independent Carrier Co., Ltd.	16.00
Inland Manufacturing Company	48.45
International Business Machines Corporation	15.50
L. N. "Len" Johnson-Typewriters	2.25
Kling-Dawers Stationery Co. Inc.	1.11
Walter P. Koetitz	200.00
Geo. A. Kreplin Co.	8.59
Laher Spring and Tire Service	14.80
Libby, McNeill & Libby	6.72
Libby, McNeill & Libby	126.83
Melrose Lumber & Supply Co.	15.75
Merchants Express Corporation	7.50
Albert C. Moe	169.68
J. T. Monahan	44.80
Monroe Calculating Machine Company, Inc.	12.00
National Lead Company	95.95
Oakland Association of Insurance Agents	18,033.58
Oakland Battery Co.	8.62
Oakland Title Insurance and Guaranty Company	40.00
Pacific Gas and Electric Company	483.39
City of Oakland, City Hall	326.84
Pacific Tool and Supply Company	.79
Patrick and Moise-Klinkner Co.	14.32
Joseph Pierotti & Co.	.86
Planett Manufacturing Company	473.67
Purchasing Agents' Association of Northern California, Inc.	5.00
Rio Grande Oil, Inc.	1.01
San Francisco Bay Carloading Conference	5.00
Schirmacher Co.	5.55

Sentinel Sanitary Supply Company	\$ 13.38
Shell Oil Company	21.10
B. Simon Hardware Co.	8.65
Smart and Mitchell	7.87
Standard Oil Company of California	10.36
Symon Bros.	4.17
Tide Water Associated Oil Company	42.76
Transit Concrete, Ltd.	13.02
The Tribune Publishing Co.	16.81
Union Paper Company	20.32
United States Rubber Products, Inc.	1.62
Chester N. Weaver Co.	.31
The Western Union Telegraph Company	4.56
E. K. Wood Lumber Co.	150.00
Geo. A. Attwood	8.74
M. D. McCarl	14.42
1925 OAKLAND HARBOR IMPROVEMENT BOND FUND:	
Calaveras Cement Company	893.50
	\$23,567.41"

"RESOLUTION NO. 4775

RESOLUTION ACCEPTING CONTRACT WITH INDEPENDENT CONSTRUCTION CO., LTD. FOR PAVEMENT TO NINTH AVENUE EXTENSION, OAKLAND, AND AUTHORIZING RECORDATION OF NOTICE OF COMPLETION.

BE IT RESOLVED that Independent Construction Co., Ltd., a corporation, having duly completed the work of paving the extension to Ninth Avenue Pier, pursuant to its contract dated May 31, 1938, (Auditor's No. 6466) under P.W.A. Project No. 1629-DS, and having faithfully performed all the terms and conditions of said agreement with the City of Oakland, said contract is hereby accepted.

BE IT FURTHER RESOLVED that all the actions taken and orders issued by the Port Manager and Chief Engineer in connection with the performance of said contract be and the same are hereby ratified, confirmed and approved on behalf of the City of Oakland.

BE IT FURTHER RESOLVED that a Notice of Completion on said contract be duly recorded in the office of the Recorder of Alameda County."

"RESOLUTION NO. 4776

RESOLUTION AUTHORIZING REPRESENTATION AT CONVENTION OF PACIFIC COAST ASSOCIATION OF PORT AUTHORITIES IN PORTLAND, OREGON.

BE IT RESOLVED that the Port Manager and Chief Engineer and the Traffic Manager are hereby authorized to attend the annual Convention of Pacific Coast Association of Port Authorities to be held at Seattle, Washington, August 17, 18, 19 and 20, 1938, and to attend to other business of the Port while in said territory.

BE IT FURTHER RESOLVED that the traveling, hotel and other incidental expenses incurred by such representatives shall be paid by the City upon proper vouchers being filed."

"RESOLUTION NO. 4777

RESOLUTION AUTHORIZING AGREEMENT WITH AIRCRAFT SERVICES.

BE IT RESOLVED that the Port Manager be and he is hereby authorized to enter into an agreement with A. M. Paul, Jr. and Andrew C. Miner, copartners doing business under the style of Aircraft Services, as Licensee, rescinding the agreement of February 1, 1938 and providing for the occupancy by Licensee of Rooms 230, 235 and 230 M

in Hangar 2A, Oakland Municipal Airport, on a month to month basis, commencing August 1, 1938, at a rental of \$40.46 per month, and that such agreement shall be upon the form customarily used for Airport purposes."

"RESOLUTION NO. 4778

RESOLUTION AUTHORIZING AGREEMENT  
WITH WESTERN AIRCRAFT DISTRIBUTORS.

BE IT RESOLVED that the Port Manager be and he is hereby authorized to enter into an agreement with J. G. Anwiler and R. A. Wittke, copartners doing business under the style of Western Aircraft Distributors, as Licensee, providing for the occupancy by Licensee of Rooms 220, 222 and 225M in Hangar 2A, Oakland Municipal Airport, on a month to month basis, commencing August 1, 1938, at a rental of \$14.42 per month, and that such agreement shall be on the form customarily used for Airport purposes.

Pursuant to Resolution No. 4767 and advertising for five consecutive days in the City's official newspaper, bids for Macadam Rock and Screenings for Oil Macadam Paving and for Asphaltic Binder for Oil Macadam Pavement were received between the hours of 3:30 and 4:30 p.m. At the hour of 4:30 p.m., the following bids, being all the bids received, were publicly opened:

ASPHALTIC BINDER FOR OIL MACADAM PAVEMENT AT OAKLAND MUNICIPAL AIRPORT

	<u>Acme Transportation, Inc.</u>	<u>Lee J. Immel</u>	<u>Heafey-Moore Co.</u>	<u>Hayward Building Supply Co.</u>
<u>ITEM A</u>				
325 Tons Asphaltic Road Oil				
Per Ton	\$ 8.85	\$9.40	\$10.40	\$10.75
<u>ITEM B</u>				
60 Tons Emulsified Road Oil				
Per Ton	15.13	16.00	14.60	15.90
Certified Check	\$400.00	\$450.00	\$450.00	\$450.00
Total Bid	\$3,784.05	\$4,015.00	\$4,256.00	\$4,447.75

MACADAM ROCK AND SCREENINGS FOR OIL MACADAM PAVING AT OAKLAND MUNICIPAL AIRPORT

	<u>Daniel Contracting Company</u>	<u>Lee J. Immel</u>	<u>Heafey-Moore Co.</u>	<u>Hutchinson Co.</u>
<u>ITEM A</u>				
5000 tons Macadam Rock				
Per Ton	\$1.70	\$1.63	\$1.55	\$1.82
<u>ITEM B</u>				
1250 tons Coarse Screenings				
Per Ton	1.80	1.63	1.60	1.92
<u>ITEM C</u>				
Birdseye Screenings				
650 tons				
Per Ton	2.00	1.83	1.92	2.10
Certified Check	\$ 1,500.00	\$1,150.00	\$1,100.00	\$1,287.00
TOTAL BID	\$12,050.00	\$11,377.00	\$10,998.00	\$12,865.00

These bids were referred to the Port Attorney as to legality and the Port Manager for recommendation as to acceptance of the bids.

ADJOURNED.

  
ASSISTANT SECRETARY

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

of the

PORT OF OAKLAND

Held on Monday, August 22, 1938, at the hour of 3:30 p.m., in the office of the Board, room 75, Grove Street Pier, due written notice of such meeting having been given members of the Board.

Commissioners present: Fisher, Pardee and President McElroy -3-

Commissioners absent: Colbourn, and Roland on leave -2-

The Port Manager, Port Attorney and Assistant Chief Engineer were also present.

The minutes of the regular meeting of August 15, 1938 were read, approved and adopted.

The Port Manager's Certificate of Completion of contract with East Bay Municipal Utility District for construction of supply main connection to fire service, Ninth Avenue Pier, P.W.A. Docket Calif. 1629-DS, Contract No. 3, was filed.

Communication from J. F. Hassler, City Manager, relative to a contribution of \$25,000 to the City of Oakland for the fiscal year 1937-1938 and also for 1938-1939, together with copy of Resolution No. 6793 C.M.S. of the City Council, requesting the Port Department to transfer \$50,000 to the General Fund of the City of Oakland, were read and after discussion, the Secretary was directed to advise the City Manager that it must adhere to its former decision that it is not in a position to grant the request for contribution to the General Fund of the City as has been stated in previous correspondence and conference on the subject, as its funds are required for the carrying on of maintenance of the Port and Airport and the construction of new facilities which are urgently needed in the development of the Port and Airport.

Communication from Western Vegetable Oils Company, requesting permission to install a 40,000 gallon tank on its leasehold at Seventh Street Unit for storage of cocoanut oil, was read and request granted.

Communication from F. M. Young, Works Progress Administration, advising that no crusher run rock can be purchased at this time for the Airport, together with communication from the Port Manager, requesting authority to advertise for bids for furnishing 15,000 tons of crusher run rock for the runways at Oakland Municipal Airport, were read and a resolution later passed approving the specifications and authorizing the advertisement for bids for the rock for the runways as recommended.

Communication from the Assistant Chief Engineer, regarding the break in the sprinkler main in Transit Shed No. 2, Outer Harbor Terminal, was filed.

Communication from C. D. Lasher, Manager Home Insurance Co., advising that adjustment of the sprinkler leakage loss has been referred to the Fire Companies' Adjustment Bureau, was filed.

Communication from Alcor Aircraft Corporation, relative to payment to creditors, was filed.

Communication from the German Consulate General, enclosing information on German airports, was filed.

Communication from William Steinberg, Attorney, representing the Stone interests, setting forth offer for exchange of properties at the Airport to provide right-of-way for road adjacent to the railroad track, was read and referred to the Port Manager for investigation and report.

Communication from Frank A. Simney, requesting leave of absence for a period of fourteen days with three-quarters pay, on account of illness, was read and resolution later passed, granting the request in accordance with the rules of the Civil Service Board.

Communication from F. A. Schwede, requesting leave of absence for a period of thirteen days with three-quarters pay, on account of illness, was read and resolution later passed, granting the request in accordance with the rules of the Civil Service Board.

Communication from Mr. H. S. Tigh of The Texas Co., requesting permission to erect a Drum Filling Warehouse on sub-leasehold at the Outer Harbor, at an estimated cost of \$5200.00, was read and resolution later passed approving the plans and specifications and granting permission to erect the structure, as requested.

The Port Manager reported as follows on the status of certain funds as of August 19, 1938:

Harbor Maintenance and Improvement Fund (No. 226)

Unencumbered Cash Balance as of August 19, 1938.....	\$ 37,140.05
Set up in Special Funds 220 and 222.....	75,000.00
Total Unencumbered Cash in all revenue funds	
as of August 19, 1938.....	112,140.05
Total Unencumbered Cash in all revenue funds	
as of July 31, 1938.....	103,267.40

1925 Oakland Harbor Improvement Fund (No. 567)

Cash Balance as of July 31, 1938.....	214,141.65
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The Board's attention was called to the press report to the effect that San Francisco was endeavoring to secure the location of the United Air Lines' shops for the San Francisco Airport and that Mr. Cahill, Manager of Utilities for San Francisco, had made an offer to the United Air Lines to construct its shop buildings from funds available from their recent \$2,850,000 bond issue. In this connection, the Port Manager stated that a letter had been received from Mr. J. D. Crichton, Engineer for the United Air Lines, advising that no decision could be reached prior to September 30, the dead line for filing P.W.A. applications, and that he had been recalled from proceeding with the study of the Oakland Municipal Airport as a location for their proposed repair base. It was the consensus of the Board that this matter should be taken up and further discussed inasmuch as it is very desirable to obtain the location of the proposed shops at the Oakland Municipal Airport.

The Board's attention was called to the action of the Pacific Coast Association of Port Authorities in choosing Oakland as the convention city for their 1939 convention and to the election of A. H. Abel, Port Manager, as President, and M. D. McCarl, Traffic Manager, as Secretary and Treasurer. The Port Manager reported that a very successful convention had been held at Portland and that the Association is looking forward to its next convention in Oakland.

The Port Attorney reported that Ira Abraham and Thomas Ledwich, Attorneys for the American Dredging Company, filed a document with the District Court of Appeal to strike the brief, in the condemnation appeal, from the record and to have penalties assessed upon the Port Attorneys for a frivolous and unnecessary appeal.

It was reported that the U. S. Forest Service is now basing its airplane at the Oakland Municipal Airport and that this plane is used in its fire fighting program.

In respect to the matter of the construction of a bridge across the estuary, President McElroy stated that the Maritime and Harbor Sub-Committee of the Oakland Chamber of Commerce, of which he is chairman, would meet with the Alameda Committee and City Manager Chas. R. Schwanenberg on August 23rd

to further discuss the bridge matter.

The reports of the Auditing Committee on weekly payrolls, on claims and demands, and on the offer of the Independent Construction Company for settlement of action filed in the Superior Court of Alameda County, were adopted.

The following resolutions were introduced and passed by the following vote:

AYES: Commissioners Fisher, Pardee and President McElroy -3-

NOES: None

ABSENT: Commissioners Colbourn, and Roland on leave -2-

"RESOLUTION NO. 4779

RESOLUTION APPROVING AND ALLOWING  
CERTAIN CLAIMS AND DEMANDS.

RESOLVED: That the following claims and demands, having been approved by the Auditing Committee, be and the same are hereby approved and allowed by the Board of Port Commissioners and the Auditor is authorized to draw his warrant for the same out of the proper Fund:

HARBOR MAINTENANCE AND IMPROVEMENT FUND:

American Brass & Copper Co.	\$ 2.30
The American Rubber Manufacturing Co.	11.64
Geo. R. Borrmann Steel Company	16.32
California Pottery Company	106.78
J. Catucci	100.00
The Central Foundry Company	9.76
Chase & Teddy, Ltd.	24.36
L. M. Clough Co.	30.10
Cochran & Celli	6.58
Colyear Motor Sales Company	18.49
Daily Commercial News	6.00
East Bay Blue Print & Supply Co.	58.23
East Bay Glass Company	2.20
East Oakland Auto Top Shop	3.00
The Electric Corporation	5.44
H. B. Folsom	83.85
W. P. Fuller & Co.	8.72
Golden Gate Sheet Metal Works	8.24
Graybar Electric Company, Inc.	9.54
Greenwood Printers Ltd.	69.99
The Hancock Oil Co. of Calif.	186.05
Independent Construction Co. Ltd.	3.75
International Business Machines Corporation	5.00
E. & R. James Co.	9.91
Geo. A. Kreplin Co.	17.57
Laird's Stationery	6.06
Libby, McNeill & Libby	309.33
Maxwell Wholesale Hardware Company	170.54
National Lead Company	313.37
Newsweek	4.00
Oakland Airport Inn	3.04
Oakland Plumbing Supply Co.	7.44
Pacific Scientific Company Incorporated	80.43
Pacific Shipper	68.00
Pacific Tool and Supply Company	8.50
The Paraffine Companies, Inc.	114.21
Patterson Equipment Co.	72.00
The Recorder Printing & Publishing Co.	3.61
Rhodes & Jamieson, Ltd.	17.37
Royal Typewriter Company	15.75
San Francisco Chronicle	15.60
San Francisco Commercial Club	30.04
San Jose Daily and Sunday Mercury Herald	10.80
Sentinel Sanitary Supply Company	8.08
Shields, Harper & Co.	6.96
Shipping Register	40.00

B. Simon Hardware Co.	\$	18.24
Smith Brothers		23.83
Speedway Manufacturing Company		25.54
Standard Oil Company of California		10.35
Strable Hardwood Company		3.29
Clyde Sunderland		35.66
Tide Water Associated Oil Company		24.87
Transit Concrete Ltd.		25.02
The Tribune Press		175.00
The Tribune Publishing Co.		45.84
Western Transportation		40.00
E. K. Wood Lumber Co.		459.82
Zellerbach Paper Company		19.48
H. G. Adam		3.00
Payrolls - Administrative Department		2,142.50
" - Airport		860.00
" - Engineering Department		2,227.50
" - Grove and Market Street Piers		1,631.13
" - Maintenance Department		3,315.66
" - Ninth Avenue Pier		717.34
" - Outer Harbor Terminal		5,162.11
" - Traffic Department		1,367.50
Port Revolving Fund - Misc.		449.25
1925 OAKLAND HARBOR IMPROVEMENT BOND FUND:		
Calaveras Cement Company		446.75
East Bay Municipal Utility District		1,505.06
Independent Construction Company		6,420.40
		<u>\$29,264.09.</u> "

"RESOLUTION NO. 4780

RESOLUTION APPROVING WEEKLY PAYROLLS,  
RATIFYING ALL HIRINGS AND EMPLOYMENTS  
THEREIN AND REIMBURSING PORT REVOLVING  
FUND.

BE IT RESOLVED that the weekly payrolls for the weeks ending August 9 and August 16, 1938 be and the same are hereby approved and the hiring or employment of each and all of the services therein set forth at the compensations therein paid is hereby ratified, confirmed and approved, and

BE IT FURTHER RESOLVED that the demand against the Harbor Maintenance and Improvement Fund for the reimbursement of the Port Revolving Fund, in the amount set forth therein, having been approved by the Auditing Committee, is hereby approved and allowed, and the City Auditor be and he is hereby authorized and directed to draw his warrant for the same and make such reimbursement.

HARBOR MAINTENANCE AND IMPROVEMENT FUND:

Port Revolving Fund Payrolls \$5,248.95."

"RESOLUTION NO. 4781

RESOLUTION AUTHORIZING AND  
APPROVING COMPROMISE OF  
DISPUTED CLAIM AND LEGAL ACTION  
FILED BY INDEPENDENT CONSTRUCTION  
COMPANY, LTD., AND ALLOWING PAYMENT  
OF DEMAND THEREFOR.

WHEREAS, following the completion of contract dated May 25, 1936 for the construction of paving and roadways to serve a 504' extension to Outer Harbor Terminal Wharf, Oakland, California, under P.W.A. Docket No. 1395 (Auditor's No. 6168) with Independent Construction Company, Ltd., a controversy arose between the Contractor and the City, as evidenced by Port Resolution No. 3965, as to the amount of money due the Contractor for additional work performed by it, in which controversy the Contractor claimed that due to an error in the specifications he had been misled as to the actual amount of fill required to be performed, and

WHEREAS, said Contractor originally made a claim for such additional work in the amount of \$4,427.65 based upon the additional fill claimed to have been actually performed, which amount was

finally adjusted to the sum of \$2,469.61, with the Contractor's acquiescence, after an engineering survey had been made by the Port Manager, and

WHEREAS, said contract having been performed under a P.W.A. project, this Board refused to pay such balance claimed to be due unless the Government would assume its proportion of 45% thereof and such action by the Government has been withheld in the absence of a final court judgment, and

WHEREAS, following the passage of said Port Resolution No. 3965 final payment was made to the Contractor, excepting for the disputed amount, and the Contractor on or about February 4, 1937 filed a legal action against the City, numbered 143200 in the Superior Court, Alameda County, for judgment in the amount of \$4,427.65, which litigation is still pending, and

WHEREAS, said Contractor now offers to compromise and settle the entire claim and said action for a payment in the amount of \$1,358.28, being the City's share (55%) of the adjusted amount, and this Board, being fully advised, finds and determines that a compromise and settlement upon such a basis is equitable and fair, and should be made within the public interests, and the same being approved by the Port Manager and the Port Attorney, and it appearing that the City may not secure a better settlement by hazarding the risks of a trial on the merits, but may be subject to greater expense, now, therefore

BE IT RESOLVED that the revised claim of the Independent Construction Company, Ltd., for payment of the sum of \$1,358.28 in full settlement and compromise of its claims and said action against the City of Oakland arising out of said contract be approved and allowed, and the City Auditor is hereby authorized and directed to draw his warrant in said amount against the Oakland Harbor Improvement Fund, 1925, in favor of said Contractor and to deliver the same to him upon advice from the Port Attorney that he has received from said Contractor for the City a dismissal, with prejudice, of said Superior Court action and a release of any and all claims on the part of said Contractor arising out of said contract."

"RESOLUTION NO. 4783

RESOLUTION AWARDING CONTRACT  
FOR FURNISHING AND SPREADING  
ASPHALTIC BINDER FOR OIL  
MACADAM PAVEMENT TO OAKLAND  
MUNICIPAL AIRPORT.

BE IT RESOLVED that the contract for the furnishing and spreading of asphaltic binder for oil macadam pavement to Oakland Municipal Airport, Oakland, be and the same is hereby awarded to ACME TRANSPORTATION, INC., a corporation, as the lowest responsible bidder, in accordance with the terms of its bid, filed August 15, 1938.

BE IT FURTHER RESOLVED that, pursuant to the specifications, the certified check accompanying said bid shall be held as bond as a guarantee of the furnishing and spreading of said material. At and upon such spreading, said certified check shall be returned to said bidder.

BE IT FURTHER RESOLVED that the other bids received for said contract be and they are hereby rejected and the checks accompanying same shall be returned to the proper persons."

"RESOLUTION NO. 4784

RESOLUTION AWARDING CONTRACT FOR FURNISHING  
AND DELIVERING MACADAM ROCK AND SCREENINGS.

BE IT RESOLVED that the contract for the furnishing and delivering of macadam rock and screenings for oil macadam pavement to Oakland Municipal Airport, Oakland, be and the same is hereby awarded

to HEAFEY-MOORE CO., a corporation, as the lowest responsible bidder, in accordance with the terms of its bid, filed August 15, 1938.

BE IT FURTHER RESOLVED that, pursuant to the specifications, the certified check accompanying said bid shall be held as bond as a guarantee of the furnishing and delivering of said material. At and upon such delivery, said certified check shall be returned to said Company.

BE IT FURTHER RESOLVED that the other bids received for said contract be and they are hereby rejected and the checks accompanying same shall be returned to the proper persons."

"RESOLUTION NO. 4785

RESOLUTION RATIFYING, CONFIRMING AND APPROVING REGULAR APPOINTMENT OF FRANK FEHLMAN TO POSITION OF PORT WATCHMAN.

BE IT RESOLVED that the following regular appointment is hereby ratified, confirmed and approved by this Board:

Frank Fehlman, Port Watchman, (Port Ordinance No. 222, Section 8.21) - \$120 per month - appointment effective as of August 16, 1938, at noon."

"RESOLUTION NO. 4786

RESOLUTION ADOPTING SPECIFICATIONS FOR A FORK LIFT DOCK TRUCK.

BE IT RESOLVED that the specifications and other provisions relative thereto filed with the Board for the furnishing of one 3-ton gas engined fork lift dock truck, and the manner indicated for the payment therefor be and the same are hereby approved.

BE IT FURTHER RESOLVED that the Secretary be authorized to advertise for five consecutive days in the official newspaper for sealed proposals for the supplies to be furnished, as required by law."

"RESOLUTION NO. 4787

RESOLUTION GRANTING LICENSE TO WORKS PROGRESS ADMINISTRATION, UNITED STATES OF AMERICA, FOR USE OF A PORTION OF THE ADMINISTRATION BUILDING OF THE NORTH INDUSTRIAL AREA.

BE IT RESOLVED that, pursuant to the request of the Works Progress Administration of the United States of America, a revocable license is hereby granted said department of the Government (without rental) covering the south wing (1st and 2nd floors) in the Administration Building of the North Industrial Area, Port Area, City of Oakland, for the period from August 15, 1938 to June 30, 1939, unless sooner terminated upon 30 days' notice, for use by Toy Loan Centers under W.P.A. Project No. 8822, pursuant to the terms and conditions set forth in the communication signed by the Managing Director, Alameda County Advisory Council for Toy Loan Centers, and filed with this Board on August 15, 1938.

BE IT FURTHER RESOLVED that the Port Manager of this Board be and he is hereby directed and authorized to enter into and sign an appropriate agreement with said Works Progress Administration."

"RESOLUTION NO. 4788

RESOLUTION ADOPTING SPECIFICATIONS FOR FURNISHING CRUSHER RUN ROCK TO OAKLAND MUNICIPAL AIRPORT.

BE IT RESOLVED that the specifications and other provisions relative thereto filed with the Board for the furnishing and delivering of 15,000 tons, more or less, of crusher run rock to Oakland Municipal Airport, and the manner indicated for the payment therefor be and the

same are hereby approved.

BE IT FURTHER RESOLVED that the Secretary be authorized to advertise for five consecutive days in the official newspaper for sealed proposals for the supplies to be furnished, as required by law."

"RESOLUTION NO. 4789

RESOLUTION GRANTING LEAVE  
OF ABSENCE WITH PAY TO  
FRANK A.SIMNEY.

BE IT RESOLVED that Frank A. Simney, Port Draftsman, (Port Ordinance No. 222, Section 4.06) is hereby granted a leave of absence on account of illness, said leave to be for 14 days commencing August 18, 1938, with compensation at the rate of 75% of the salary payable such employe, as provided by the rules of the Civil Service Board."

"RESOLUTION NO. 4790

RESOLUTION GRANTING LEAVE OF  
ABSENCE WITH PAY TO F. A. SCHWEDE.

BE IT RESOLVED that F. A. Schwede, Chief of Field Party, (Port Ordinance No. 222, Section 4.07), is hereby granted a leave of absence on account of illness, for a period of 13 days commencing August 19, 1938, with compensation at the rate of 75% of the salary payable such employe, as provided by the rules of the Civil Service Board."

"RESOLUTION NO. 4791

RESOLUTION GRANTING PERMISSION  
TO THE TEXAS COMPANY TO CONSTRUCT  
FILLING WAREHOUSE ON ITS PREMISES  
AT OUTER HARBOR TERMINAL.

BE IT RESOLVED that, pursuant to that certain lease granted to Parr Terminal Company by the City on June 15, 1933, and modified on February 17, 1934, and the City Charter, and pursuant to its application and accompanying plans presented to this Board, permission is hereby granted The Texas Company, a corporation, to construct, at its expense, a filling warehouse on its premises at the Outer Harbor Terminal subleased by it from Parr Terminal Company."

"RESOLUTION NO. 4792

RESOLUTION EXTENDING LEAVE  
OF ABSENCE OF COMMISSIONER  
EUGENE W. ROLAND.

BE IT RESOLVED that the leave of absence granted to Commissioner Eugene W. Roland, as evidenced by Port Resolution No. 4683, be and the same is hereby extended to October 1, 1938, or until such earlier time as he may return to the City of Oakland from his travels."

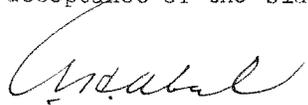
Pursuant to Resolution No. 4768 and advertising for five consecutive days in the City's official newspaper, bids for One Lumber Carrier were received between the hours of 3:30 and 4:30 p.m. At the hour of 4:30 p.m., the following bids, being all the bids received, were publicly opened:

BIDS FOR  
FURNISHING AND DELIVERING ONE LUMBER CARRIER.

<u>Bidder</u>	<u>Lump Sum</u>	<u>Certified Check</u>
Dallas Machine & Locomotive Works	\$4,850.00	\$485.00
The Ross Carrier Company	4,400.00	500.00
Willamette Hyster Company	4,824.00	485.00

These bids were referred to the Port Attorney as to legality and the Port Manager for recommendation as to acceptance of the bids.

ADJOURNED.

  
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S E C R E T A R Y

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS  
of the  
PORT OF OAKLAND

Held on Monday, August 29, 1938, at the hour of 3:30 o'clock p.m. in the office of the Board, Room 75, Grove Street Pier, due written notice of such meeting having been given members of the Board.

Commissioners present: Colbourn, Fisher, Fardee and President McElroy -4-

Commissioner absent: Roland, on leave -1-

The Port Manager, Port Attorney and Assistant Chief Engineer were also present.

The minutes of the regular meeting of August 22, 1938 were read, approved and adopted.

Communication from E. W. Horsman, President Marine Terminals Corporation, requesting reduction of rental of gear shed in rear of quay wall shed from \$15.00 to \$7.50 per month until further use of space is required, was read and the Port Manager was directed to advise Mr. Horsman that the Board is pleased to grant the request, provided a 50% reduction of space occupancy is made.

Communication from F. W. Woolworth & Co., London, advising they are accepting the Port of Oakland's position in respect to claim of shortage made by the SS MOUNT CYNTHOS owners and are continuing shipments of their canned goods over the municipal terminals, was filed.

Copy of Secretary's letter to the City Manager, J. F. Hassler, declining to make contribution of \$50,000 as requested in his letter of August 18th and in City Council Resolution No. 6793 C.M.S., was filed.

Communication from the Standard Mill & Lumber Company, requesting rental of 4200 square feet of space in the warehouse at 471 First Street, together with 5500 square feet of open storage space on the east side of

the building, at a rental of \$60 per month, was read and a month to month agreement was authorized to be entered into for the use of the space as requested, at a rental of \$60 per month.

Communication from May L. Palmer, Secretary to the Port Manager, requesting leave of absence for a period of one hundred days on account of illness, commencing August 22, certified to by her physician, was read and resolution later passed granting request, sixty days of which will be with three-quarters pay, in accordance with the rules of the Civil Service Board, and forty days without pay.

Copy of City Manager's report of affairs of the City for the month of July, 1938, was filed.

Communication from the Port Manager, submitting statement of revenue and expense of operation of the lumber carrier at Ninth Avenue Terminal during the fiscal year 1937-1938, was filed.

Communication from August B. Botelho, requesting permission to supervise dumping ground on the Port of Oakland property adjacent to North Arm of the Estuary between 7th and First Streets, was read and the Port Manager was directed to arrange with Mr. Botelho for supervision of the dumping ground without cost to the Port, provided that the supervision can be discontinued at the pleasure of the Board.

Communication from T. L. Smart, Attorney for Libby, McNeill & Libby, advising that canned goods damaged by the break in the sprinkler pipe at Outer Harbor Terminal on August 17th were being reconditioned and re-labeled and that claim would be presented to the Board when reconditioning is completed, was filed.

Communication from J. W. Warner, Adjuster, Home Insurance Company of New York, acknowledging copy of letter of August 20th to Libby, McNeill & Libby, relative to damage to canned goods by sprinkler leakage and advising his concurrence with letter, with exception that they do not, at this time, recognize any liability on the part of the Board or the Home Insurance Company for damage to merchandise, was filed. In connection with the matter of damage to canned goods of Libby, McNeill & Libby by the sprinkler leakage, the Port Manager reported that all the damaged goods have now been removed from the terminal to Libby, McNeill & Libby's plant at Lark, Calif., where same is being reconditioned; further, that the cost of removal of the cases by the Port is being billed to the insurance company.

Communication from John W. Collier, Assistant City Attorney, advising, in reference to the judgment which was entered on July 26, 1938

against the City in favor of Mileage Gasoline Co. in the amount of \$13,117.64, that \$1218.00 of the judgment is for the Port of Oakland's account for 11,600 gallons of gasoline delivered to the Port at 10 $\frac{1}{2}$ ¢ per gallon and requesting payment to the City of this amount, so that judgment can be satisfied, was read and a resolution later passed transferring to the City's general fund \$1218.00 in full settlement for the Port of Oakland's share of the judgment.

In connection with the settlement of the Independent Construction Company's suit by compromise, the Port Attorney reported that the City Auditor had, on August 27th, drawn and delivered a warrant in full payment of the compromise settlement and a fully executed release of all claims and demands by Independent Construction Company against the Board and the City of Oakland in connection with suit filed in the Superior Court, in the amount of \$4427.65, which was settled by compromise and payment of \$1358.28 for work performed in constructing Wharf Street Extension to Outer Harbor Terminal, was filed. The Port Attorney further stated that a dismissal of court action in this matter had been filed.

The Port Manager reported as follows on the status of certain funds as of August 26, 1938:

<u>Harbor Maintenance and Improvement Fund (No. 226)</u>	
Unencumbered Cash Balance as of August 26, 1938.....	\$ 52,222.07
Set up in Special Funds 220 and 222.....	75,000.00
Total Unencumbered Cash in all revenue funds	
as of August 26, 1938.....	127,222.07
Total Unencumbered Cash in all revenue funds	
as of July 31, 1938.....	103,267.40
<u>1925 Oakland Harbor Improvement Fund (No. 567)</u>	
Cash Balance as of July 31, 1938.....	211,643.81

The report of the Port Manager, submitting tonnage statistics for the month of July, 1938, showing gain of 36,000 tons over June, 1938 and 17,000 tons over July, 1937 at Outer Harbor Terminal, was filed.

A committee representing the California National Guard, consisting of Colonel Merritt, Colonel Calkins, Lt. Colonel DeLano and Captain Keating, met with the Board and discussed the possibility of arranging for the occupancy of a tract of land adjoining the Lake Merritt canal, southerly from Eighth Street and facing on Third Avenue, upon which the State would construct a storage building for housing automotive equipment of the National Guard. Colonel Calkins stated that at the present time this equipment was being stored at the rifle range in East Oakland, but that with the abandonment of this range, new quarters would have to be provided. He stated that the center of National Guard activity in Oakland was at the Municipal Exposition Building and it was their endeavor

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to obtain a location for their new building in as close proximity thereto as possible. The need of the building was stressed by Colonel Merritt, who recounted the services rendered by the National Guard in connection with the last waterfront strike. Captain Keating stated that the State was not in position to pay rental for the property and that there was no allowance made therefor. After further discussion, the Board requested the representatives of the National Guard to investigate the site suggested by the Board on East Third Avenue and requested the Port Manager to assist the committee in furnishing any information in connection therewith which it might desire. Captain Keating, on behalf the National Guard, thanked the Board for its interest and cooperation and stated that after examining the proposed site, they would further discuss the matter with the Board.

Copy of communication received by Vice-President Fisher from W. A. Patterson, President United Air Lines Transport Corporation, in which reference was made to an offer by the City of San Francisco to construct its proposed shops at the San Francisco Airport at an estimated cost of \$750,000.00, for which a rental of \$1,000.00 per year would be asked, was read. The matter as presented in Mr. Patterson's communication was discussed by the Board and continued for further consideration.

The Port Attorney reported that the Conference on State Defense advised that the Government is prosecuting a test case to subject bonds issued by the Delaware River Joint Commission to a federal stamp tax of \$50,000.00, and that the Conference had asked our concurrence in a proposition that the States should agree to constitutional amendment permitting taxation of securities issued by a state and its agencies only upon the Government agreeing to like taxation of Federal securities and that under no circumstances should the Federal Government be permitted to tax the revenues of local agencies.

The Port Attorney stated that Judge Ogden again continued his decision on the El Dorado Oil franchise issues to September 12th, 1938.

It was reported that the Supreme Court of California had denied the State's application for a re-hearing of the Long Beach case, involving the issue as to the City's ownership of its tidelands, and that this decision settles any doubt as to the status of the City of Oakland tidelands under the jurisdiction of the Board.

The Port Attorney reported that the Maritime Commission denied the application of plywood shippers in the Northwest for reduction of steamship

rates and that this case sets up strong requirements as to the nature of evidence required and may indicate adverse decision to Stockton.

It was reported that fire destroyed the old Sunset Lumber Company mill and other buildings at the foot of Fallon Street, that the buildings were being wrecked and were not insured, and that the Port property had not been affected by the fire.

Statistics on air transport passengers handled at Oakland and San Francisco airports were presented as follows:

Oakland Airport	July 5227	June 5018	5% gain
San Francisco Airport	" 4010	" 4802	16.5% decrease

The Board's attention was called to the press reports to the effect that Carl B. Sturzenacker had been suspended from his position of Chief of Division of State Lands and that criminal action against Sturzenacker was now threatened.

The Port Manager called the Board's attention to the warehouse strike now in effect in which 112 warehouses are closed in the bay area, due to the refusal of the warehousemen to unload a "hot" car of freight, with small likelihood of an early settlement of the dispute.

The Port Manager stated that the Outer Harbor Terminal is now being congested with freight, both on the wharves and in the warehouses and that study was being given to possible increase in shed space, which may be necessary to take care of next year's business. Photographs depicting the heavy shipments now on the wharves and in the warehouses were exhibited.

The Port Manager stated that the Atlas Imperial Diesel Engine Co. had stated that they plan immediate improvements at their plant, consisting of aluminum painting of all buildings and the remodeling of their offices.

The report of the Auditing Committee on claims and demands was adopted.

The following resolution was introduced and passed by the following vote:

- AYES: Commissioners Colbourn, Fisher and President McElroy -3-
- NOES: None
- ABSENT: Commissioner Roland on leave -1-
- NOT VOTING: Commissioner Pardee -1-

"RESOLUTION NO. 4794

RESOLUTION ACCEPTING CONTRACT  
WITH EAST BAY MUNICIPAL UTILITY  
DISTRICT FOR CONSTRUCTION OF  
SUPPLY MAIN.

BE IT RESOLVED that the contract with East Bay Municipal Utility District, for the construction of a ten inch Supply Main to Ninth Avenue, Oakland, having been satisfactorily completed, be and the same is hereby accepted."

The following resolutions were introduced and passed by the following vote:

AYES: Commissioners Colbourn, Fisher, Pardee and President McElroy -4-  
NOES: None  
ABSENT: Commissioner Roland on leave -1-

"RESOLUTION NO. 4793

RESOLUTION APPROVING AND ALLOWING  
CERTAIN CLAIMS AND DEMANDS.

RESOLVED: That the following claims and demands, having been approved by the Auditing Committee, be and the same are hereby approved and allowed by the Board of Port Commissioners and the Auditor is authorized to draw his warrant for the same out of the proper Fund:

LEASED WHARF IMPROVEMENT FUND:

Howard Terminal - Wharves \$3,281.90

HARBOR MAINTENANCE AND IMPROVEMENT FUND:

Baker, Hamilton & Pacific Company	8.08
Geo. R. Borrmann Steel Company	6.20
Calaveras Cement Company	285.92
California Rustproofing Company	3.01
Calrock Asphalt Company	5.01
L. M. Clough Co.	717.14
Cochran & Celli	14.20
Henry Cowell Lime and Cement Co.	122.50
Dieterich-Post Company	16.91
Ditto Incorporated	15.58
East Bay Blue Print and Supply Co.	5.56
Eastman Kodak Stores, Inc.	218.55
The Electric Corporation	28.15
Firestone Auto Supply & Service Stores	10.12
Fishstrom Staple Co.	14.53
Fitzgerald Electro Company	7.28
W. F. Fuller & Co.	23.10
Grinnell Company of the Pacific	1.67
The Hancock Oil Co. of Calif.	160.65
Harvey Hanson	34.77
L. N. "Len" Johnson-Typewriters	66.95
Geo. A. Kreplin Co.	1.18
Laher Spring and Tire Service	8.10
Laird's Stationery	1.01
Lincoln Press	16.33
The Marine Exchange of the San Francisco Chamber of Commerce	10.00
Melrose Lumber & Supply Co.	20.19
Albert C. Moe	25.34
National Lead Company	40.88
Oakland Air Port Transportation Service	200.00
Oakland Battery Co.	18.52
Oakland Plumbing Supply Co.	35.64
Pacific Marine Review	1.00
The Pacific Telephone and Telegraph Company	228.15
Burdette A. Palmer	12.11
Phoenix Iron Works, Incorporated	29.87
Pioneer Welding Works	370.24
Planett Manufacturing Company	61.49
The Post Enquirer	9.60
Railway Express Agency, Inc.	2.44

Ransome Company	\$ 375.96
Remington Rand, Inc.	4.00
Richfield Oil Corporation	6.52
Sentinel Sanitary Supply Company	16.15
B. Simon Hardware Co.	27.10
Standard Oil Company of California	10.35
State Electric Supply, Ltd.	14.05
Strable Hardwood Company	13.24
The Tribune Press	4.57
United Office Machine Company	4.89
Victor Equipment Company	5.67
Chester N. Weaver Co.	1.18
Western Construction News	2.00
White Investment Company	50.00
Zellerbach Paper Company	13.43
S. T. Johnson Co.	<u>61.80</u>

\$6,750.78 "

"RESOLUTION NO. 4795

RESOLUTION GRANTING APPLICATION OF  
WESTERN VEGETABLE OILS COMPANY TO  
INSTALL STEEL STORAGE TANK.

RESOLVED that pursuant to its application of August 18, 1938, permission is hereby granted Western Vegetable Oils Company, Incorporated, to install, at its expense, a bolted steel tank twenty-one feet in diameter by sixteen feet high, of a capacity of 40,000 gallons, on the premises assigned to it by that certain license agreement dated November 1, 1937, in the area west of its present storage tanks, it being understood that said tank shall be in the nature of a trade fixture and not an improvement affixed to the premises, and may be removed by the licensee at the conclusion of its lease.

BE IT FURTHER RESOLVED that in installing said tank and using it for the storage of oil, said Company shall comply with all the rules and regulations of the Bureau of Fire Prevention of the City of Oakland."

"RESOLUTION NO. 4796

RESOLUTION EXTENDING TIME FOR  
PERFORMANCE OF CONTRACT WITH  
L. M. CLOUGH CO., A COPARTNERSHIP.

RESOLVED that the time for the performance of the contract with L. M. Clough Co., a copartnership, for the furnishing and delivering of crusher run rock for construction of oil macadam pavement to Ninth Avenue Terminal, Oakland, be and the same is hereby extended to and including September 28, 1938."

"RESOLUTION NO. 4797

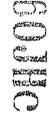
RESOLUTION GRANTING LEAVE OF ABSENCE  
WITH PAY TO MAY L. PALMER, SECRETARY  
TO THE PORT MANAGER.

RESOLVED that May L. Palmer, Secretary to the Port Manager (Port Ordinance No. 222, Section 2.05), is hereby granted a leave of absence on account of illness, said leave to be for a period of 100 days commencing August 22, 1938, with compensation at the rate of 75% of salary payable to such employee to cover the first sixty day period of such leave in the same manner as provided by the rules of the Civil Service Board for civil service employees."

"RESOLUTION NO. 4798

RESOLUTION AWARDING CONTRACT FOR  
FURNISHING AND DELIVERING ONE LUMBER  
CARRIER.

BE IT RESOLVED that the contract for furnishing and delivering one lumber carrier to Ninth Avenue Terminal, Oakland, California, be and the same is hereby awarded to The Ross Carrier Company, a corporation, as the lowest responsible bidder, in accordance with the terms of its bid filed August 22, 1938.



BE IT FURTHER RESOLVED that, pursuant to the specifications the certified check accompanying said bid shall be held as bond as security for the furnishing and delivering of said carrier. At and upon such delivery and the submission of a guarantee as required by the contract, said certified check shall be returned to said Company.

BE IT FURTHER RESOLVED that the other bids received for said contract be and they are hereby rejected and the checks accompanying same shall be returned to the proper persons."

"RESOLUTION NO. 4799

RESOLUTION AMENDING PARAGRAPH 2  
OF ARTICLE II OF THE BY-LAWS.

RESOLVED that paragraph 2 of Article II of the By-Laws of the Board of Port Commissioners (Port Resolution No. 4185) be and the same is hereby amended to read as follows:

'2. Stated meetings shall be held at the hour of 3:15 p.m., with a meeting of the whole at 3:00 p.m. When bids are to be received upon contracts for public work, such bids shall be received during the hours of 3:15 p.m., and 4:15 p.m., during which time the Board shall be assembled and in open session. At the expiration of such hour, bids shall be opened, examined and publicly declared by the Board while still in session."

"RESOLUTION NO. 4800

RESOLUTION TRANSFERRING FUNDS TO CITY  
COUNCIL TO PROVIDE FOR SETTLEMENT AND  
PAYMENT OF CLAIM OF MILEAGE GASOLINE  
COMPANY, A CORPORATION, FOR FURNISHING  
OF GASOLINE TO PORT.

Whereas, during the fiscal year 1934-1935, from time to time, the Port of Oakland requisitioned quantities of gasoline from Mileage Gasoline Company, a corporation, pursuant to an alleged contract by said Company with the City Purchasing Office, and such gasoline was received and used by the Port, and thereafter claims were allowed and passed by this Board in the Company's favor in the total amount of \$1450.01, covering 11,600 gallons of gasoline at 12 $\frac{1}{2}$ ¢ per gallon, and the City Auditor thereupon rejected certain of such claims aggregating in amount \$1275.01 and returned the same to this Board and refused to issue warrants for the same or the remainder of such claims as allowed by this Board; and

Whereas, similarly, quantities of gasoline were ordered from said Company by various other City departments and payment of claims therefor were likewise rejected by the Auditor upon the ground that the contract had not been properly entered into pursuant to the City Charter, and that the gasoline as delivered did not meet the specifications of such contract; and

Whereas, the Company, failing in its efforts to secure payment for such gasoline used by the City, filed an action in the District Court of the United States, Northern District of California, Southern Division, entitled Mileage Gasoline Company v. City of Oakland, No. 20208R, covering all of the gasoline delivered to the City of Oakland, including the gasoline delivered for the use of the Port, for which the Company claimed the sum of \$1,877.69 to be due, and following a trial of such action judgment was rendered by the Court against the City in the total amount of \$13,117.64, wherein the amount of judgment for gasoline delivered to and used by the Port is the sum of \$1218.00, at 10 $\frac{1}{2}$ ¢ a gallon (2¢ per gallon being eliminated from the charge by Court judgment); and

Whereas, the Company filed a second action in the Superior Court of Alameda County against the Board of Port Commissioners for recovery of payment of the gasoline used by the Port, which action has not been brought to trial, or the papers served, because of the pendency of the action in the Federal Court; and

Whereas, it is not deemed advisable to appeal from said judgment or to attempt to bring the action against the Board to trial, and said amount should be paid and the judgment settled, and the City Attorney and Port Attorney so advising; now, therefore, be it

RESOLVED that for the purposes of settling said judgment and paying the portion thereof affecting the purchases of such gasoline made by the Port, there is hereby transferred from the Harbor Maintenance and Improvement Fund No. 480 (Appropriation 226) to the General Fund of the City of Oakland the sum of \$1218.00 upon the condition that the City Council shall pay such amount to the Mileage Gasoline Company, together with such other moneys as may be required, and secure from said Company a dismissal with prejudice, in form approved by the City Attorney, of said actions filed in the District Court of the United States and the Superior Court of Alameda County, and a release of any and all claims and demands against the City of Oakland or the Board of Port Commissioners for all such gasoline of such Company, or its associate, McMillan Petroleum Company, as may have been delivered to or used by the Port Department during the fiscal year July 1, 1934 to June 30, 1935, said form of release to be approved as well by the Port Attorney and a copy filed with this Board."

"RESOLUTION NO. 4801

RESOLUTION AWARDING CONTRACT FOR FURNISHING  
AND DELIVERING CRUSHER RUN ROCK TO OAKLAND  
MUNICIPAL AIRPORT.

RESOLVED that the contract for the furnishing and delivering of 15,000 tons, more or less, of crusher run rock to Oakland Municipal Airport be and the same is hereby awarded to L. M. Clough Co., a co-partnership, in accordance with the terms of its bid, filed August 29, 1938.

BE IT FURTHER RESOLVED that, pursuant to the specifications, the certified check accompanying said bid shall be held as bond as a guarantee of the furnishing and delivering of said material. At and upon such delivery, said certified check shall be returned to said bidder.

BE IT FURTHER RESOLVED that the other bids received for said contract be and they are hereby rejected and the checks accompanying same shall be returned to the proper persons."

Pursuant to Resolution No. 4788 and advertising for five consecutive days in the City's official newspaper, bids for furnishing and delivering 15,000 tons, more or less, of crusher run rock to Oakland Municipal Airport were received between the hours of 3:30 and 4:30 p.m. At the hour of 4:30 p.m., the following bids, being all the bids received, were publicly opened:

BIDS FOR  
FURNISHING AND DELIVERING 15,000 TONS, MORE OR LESS,  
CRUSHER RUN ROCK FOR OAKLAND MUNICIPAL AIRPORT.

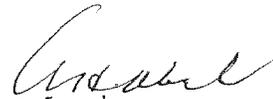
<u>BIDDER</u>	<u>PER TON</u>	<u>TOTAL BID</u>	<u>CERTIFIED CHECK</u>
Blake Brothers Company	\$ 1.28	\$19,200.00	\$1,920.00
Daniel Contracting Co.	1.20	18,000.00	1,800.00
Hutchinson Co.	1.23	18,450.00	1,800.00

BIDS FOR CRUSHER RUN ROCK (Continued)

<u>BIDDER</u>	<u>PER TON</u>	<u>TOTAL BID</u>	<u>CERTIFIED CHECK</u>
Raymond Giaccone	\$1.042	\$15,630.00	\$1,565.00
Lee J. Immel	1.25	18,750.00	2,400.00
L. M. Clough Co.	0.99	14,850.00	1,650.00

Upon approval by the Port Attorney as to legality and upon recommendation of the Port Manager, the bid of L. M. Clough Co. was accepted and Resolution No. 4801 passed, awarding the contract to said L. M. Clough Co. at the price of \$0.99 per ton, this company being the lowest bidder.

ADJOURNED.

  
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 S E C R E T A R Y

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS  
 of the  
 PORT OF OAKLAND

Held on Tuesday, September 6, 1938, at the hour of 3:15 o'clock p.m. in the office of the Board, Room 75, Grove Street Pier, due written notice of such meeting having been given members of the Board.

Commissioners present: Colbourn, Fisher, Pardee and President McElroy -4-  
 Commissioner absent: Roland, on leave -1-

The Port Manager, Port Attorney and Assistant Chief Engineer were also present.

The minutes of the regular meeting of August 29, 1938 were read, approved and adopted.

Communication from Charles Schwanenberg, City Manager, Alameda, enclosing copy of Interurban Transportation Committee's report to the City Council of Alameda, recommending construction of a second tube at Webster Street, at an estimated cost of \$6,379,980.00, advising Alameda is making application to Public Works Administration for a grant of \$2,870,991.00, the remaining cost to be financed through the Toll Bridge Authority and requesting the Board's immediate endorsement of the project and its assis-

tance in bringing the project to a successful conclusion, was read and following discussion, the Port Manager was directed to advise Mr. Schwanenberg that it was heartily in accord with the proposal to construct a second tube under the estuary to connect Webster Street in Oakland with Webster Street in Alameda and that the Board would lend its assistance to the extent of its ability in furthering this project to a successful conclusion.

Communication from F. H. Kilberry, President, Atlas Imperial Diesel Engine Co., requesting permission to construct new offices at their plant at their cost of \$4600.00 and advising they are repainting their entire plant with aluminum paint, was read and a resolution later passed granting the request and expressing the Board's appreciation of the cooperation shown by the Atlas Imperial Diesel Engine Co. in improving its facilities and promoting the interests of the Port of Oakland.

Communication from T. G. Differding, Manager Traffic Department, Oakland Chamber of Commerce, reporting on U. S. Engineers' hearing on August 16 in respect to proposed Sacramento deep-water channel, was filed.

Port Manager's Certificate of Completion of contract with Healy-Tibbitts Construction Co. for construction of Extension to Ninth Avenue Pier, P.W.A. Docket Calif. 1629-DS, Contract No. 1, was filed.

Communication from R. Manning, Lease Agent, Southern Pacific Company, advising he is endeavoring to obtain a decision from their management in respect to dedication of a strip of their property along Maritime Street from Seventh to Twenty-Second Street, as requested by the Board in its letter of January 10, 1938, was filed.

Communication from Libby, McNeill & Libby, through American Trust Company, requesting authority to withdraw proceeds from coupons maturing September 1, 1938 on \$4000 par value Cudahy Packing Co. bonds deposited as security for faithful performance of lease agreement dated April 30, 1929, was read and request granted.

Communication from Rosenberg Bros. & Co., advising that \$8000 Southern California Edison Company bonds, deposited with Bank of America as security for performance of their lease agreement, have been recalled and requesting permission to substitute \$8000 Pacific Gas and Electric Company 4% First and Refunding Mortgage Bonds, was read and request granted.

Communication from the Port Attorney, submitting copy of reply filed on September 1st with District Court of Appeal to motion of American Dredging Company to strike appeal and brief from records in condemnation



1925 Oakland Harbor Improvement Fund (No. 567)

Cash Balance as of August 31, 1938.....\$211,197.06

The comparative report on the condition of the Harbor Maintenance and Improvement Fund No. 226 for August, 1938, as prepared by the Chief Port Accountant, was filed.

The comparative report on Accounts Receivable for August, 1938, as prepared by the Chief Port Accountant, was filed.

The Port Manager's report of monthly operations of Oakland Municipal Airport for the month of August, 1938 showing an average of 98.3 airplanes hangared at the Airport, was filed.

Mr. R. J. Boomer, President Western Vegetable Oils Co., and Mr. R. J. Roesling, of R. J. Roesling & Co., met with the Board in respect to the handling of copra at the Seventh Street Unit, Outer Harbor Terminal. Mr. Roesling stated that he had been quite successful in building up the copra business at the terminal and that over six thousand tons have been handled so far this year; further, that he had reduced his cost of operations to a minimum by the introduction of a single blower, for which temporary electric wiring had been provided by the Port, and that in order to materially increase the handling capacity at the terminal, he would have to install additional blowers, which would require additional electric wiring, and that if this were done, he felt sure that the copra tonnage could be greatly increased and that the tonnage now moving to the Western Vegetable Oils Co. plant in rear of the dock could be obtained for this terminal, whereas in the past it has been handled at San Francisco and at other terminals. Mr. Boomer stated that he would very much like to have his copra delivered at the Outer Harbor Terminal, as it would mean a marked reduction in his handling costs of the material to his plant and that ultimately a conveyor system could be installed between the dock and his plant, but that at the present time, the copra could be readily trucked across the street, but that Orient Street would have to be improved with a rock roadway, so that trucks could reach the elevator hopper where the copra is distributed to his warehouses. Mr. Roesling stated that he was now arranging to place a second blower in operation immediately and that ultimately he might require the use of four blowers and that electric wiring would ultimately be required for four blowers. The Port Manager stated that the cost of wiring for four blowers would be in the neighborhood of

that  
\$5,500.00 and this would provide outlets distributed along the face of the wharf the blowers could be plugged in opposite the ships and that providing these outlets, operations of unloading ships and loading cars could be carried on at the same time. Both Mr. Boomer and Mr. Roesling were of the opinion that if this electric wiring were installed, there would be little doubt that the vessels would be influenced to call at the Outer Harbor Terminal and discharge their cargo and that with the discharge of this cargo, other cargo might be influenced to the terminal.

After further discussion, President McElroy stated to Mr. Roesling and Mr. Boomer that it is the desire of the Board to increase the tonnage of the Port and that steps would be taken to install electric wiring, provided that Mr. Roesling would arrange for and operate the blower equipment necessary for the unloading of the copra and other commodities at the terminal. Mr. Roesling stated that he would do everything in his power to increase the tonnage as soon as the electrical equipment is installed.

The Port Manager stated that the Oakland Naval Reserve Aviation Base had been awarded the Edwin Francis Conway Memorial trophy through the recommendation of Naval Inspection Board and that this is the highest award for excellence and that it had been won on two occasions by the Oakland base, further that letters of congratulation have been mailed to Commander Ragsdale and Lt. Commander Cunningham, who now commands the Oakland base.

The Port Attorney reported that a decision had been received from the Maritime Commission (Docket 485) authorizing intercoastal steamship carriers to discharge cargo at San Francisco in instances when river transportation lines may not operate to Sacramento, and that exceptions had been filed by Intercoastal Steamship carriers to the proposed rule of the Commission.

The Port Attorney stated that the Law and Legislation Committee of the American Association of Port Authorities advised all ports to prepare for renewed effort on the part of the Federal Government to establish title to local tideland areas and port facilities located thereon.

The Port Attorney requested that he be authorized to attend the Convention of the League of California Municipalities at Santa Barbara to confer with Directors and Attorneys' staff as to the following matters:

- (a) Steps to be taken to offset efforts of Federal Government to tax municipal bonds, salaries and revenues;

- (b) Issue relative to claim of Federal Government to ownership in tideland areas;
- (c) Action which should be taken in combating proposed California pension plan of \$30.00 a week payments.

A resolution was later passed, authorizing the Port Attorney to attend the convention.

It was reported that the City Council had passed an ordinance to print authorizing the payment of the Mileage Gasoline judgment.

The Port Manager stated that he had been requested to attend the Western Safety Conference and the Western Aviation Conference and present a discussion on Federal Aid for municipal airports, that the meeting is at Los Angeles September 12 to 16, that he planned on being there on September 13 and 14 only, when airport matters will be the subject for discussion; and he further suggested that the Assistant Chief Engineer also attend these sessions as a number of subjects vital to airports would be discussed.

From press reports it was noted that the U. S. Coast Guard will establish on Government Island a school for training sailors for the Merchant Marine.

The Port Manager reported that the City Council had adopted a resolution setting up funds of \$300,000 to be used in construction of the new East Shore Highway and that this fund will come from the gas tax allocation. Following discussion of the East Shore Highway matter, the Port Manager was requested to obtain from Mr. Kahn and others their attitude in respect to remuneration for the use by the State of lands in the Brooklyn Basin area for the highway.

The Port Manager reported that Mr. W. A. Patterson, President, United Air Lines, had met with an accident, resulting in a broken leg, which would incapacitate him for sometime and that his expected trip to Oakland for discussion of matters pertaining to the construction of shops for United Air Lines would undoubtedly be delayed.

From press reports it was noted that Roscoe Turner won the 300-mile Thompson trophy classic at the National Air Races in Cleveland, his speed averaging 283.419 miles per hour, equal to about five miles a minute, and that Russell Chambers, who flew at the Oakland Air Races, was killed.

The Port Manager stated that Douglas Corrigan will arrive at the

Oakland Airport at 11:00 a.m. on September 15 and that the Oakland Junior Chamber of Commerce Aviation Committee is sponsoring the entertainment for him.

The reports of the Auditing Committee on claims and demands, and on the weekly payrolls, were adopted.

The following resolutions were introduced and passed by the following vote:

AYES: Commissioners Colbourn, Fisher, Pardee and President  
McElroy -4-

NOES: None

ABSENT: Commissioner Roland, on leave -1-

"RESOLUTION NO. 4802

RESOLUTION APPROVING AND ALLOWING  
CERTAIN CLAIMS AND DEMANDS.

RESOLVED: That the following claims and demands, having been approved by the Auditing Committee, be and the same are hereby approved and allowed by the Board of Port Commissioners and the Auditor is authorized to draw his warrant for the same out of the proper Fund:

HARBOR MAINTENANCE AND IMPROVEMENT FUND:

Air Reduction Sales Co.	\$ 19.89
American Bitumuls Company	26.90
Arco Company of California, Ltd.	153.73
Bay Cities Asbestos Co.	1.52
Bigge Drayage Company	24.00
Geo. R. Borrmann Steel Company	112.36
California Pottery Company	168.52
City of Oakland, Purchasing Department	5.00
L. M. Clough Co.	721.00
Cochran & Celli	26.13
Columbia Wood and Metal Preservative Co.	127.47
Henry Cowell Lime and Cement Co.	46.49
Dieterich-Post Company	17.05
East Bay Glass Company	1.35
East Bay Municipal Utility District	581.66
East Bay Municipal Utility District	150.00
Eastman Kodak Stores, Inc.	14.60
The Electric Corporation	12.42
The Fuller Brush Company	6.19
General Electric Supply Corporation	.97
Golden Gate Sheet Metal Works	42.49
Greenwood Printers Ltd.	34.92
Gunn, Carle & Co.	9.89
H. & M. C. Co., Inc.	17.52
The Hancock Oil Co. of Calif.	269.01
E. R. Hatherly Company	2.00
Hogan Lumber Company	4.70
Lee J. Immel	378.00
International Business Machines Corporation	15.50
The International Press	64.64
Jennings Corporation	41.66
Judson Steel Corporation	337.15
Kling-Dawers Stationery Co., Inc.	8.17
Laher Spring and Tire Service	.97
Libby, McNeill & Libby	4.64
The A. Lietz Company	2.35
Mailler Searles, Inc.	400.46
C. W. Marwedel	2.58

Maxwell Wholesale Hardware Company	\$ 158.99
Melrose Building Materials Co.	18.03
Melrose Lumber & Supply Co.	10.29
National Lead Company	179.90
Oakland Battery Co.	3.00
Oakland Fire Extinguisher Company	17.30
Pacific Ports & Marine News	80.00
The Pacific Telephone and Telegraph Company	28.58
Pacific Tool and Supply Company	3.89
The Paraffine Companies, Inc.	177.02
Ira G. Perin	17.79
Peterson Tractor & Equipment Co.	9.95
Philadelphia Quartz Company of California	10.04
Pioneer Sawdust and Sand Depot	57.50
Railway Express Agency, Inc.	1.60
The Recorder Printing and Publishing Company	.52
Richfield Oil Corporation	6.85
Geo. M. Robinson & Co.	112.58
Sentinel Sanitary Supply Company	19.18
Shell Oil Company	21.31
Shields, Harper & Co.	28.52
B. Simon Hardware Co.	58.65
Smith Brothers	14.74
Southern Pacific Co.	13.00
Standard Fence Company	187.00
Strable Hardwood Company	1.84
Straub Manufacturing Co., Inc.	24.42
Clyde Sunderland	7.21
Tide Water Associated Oil Company	12.32
Transit Concrete Ltd.	181.54
The Tribune Publishing Co.	29.17
Underwood Elliott Fisher Company	11.50
West Disinfecting Company	10.20
Western Iron and Metal Co.	176.65
E. K. Wood Lumber Co.	89.02
Geo. A. Attwood	27.71
Thos. H. Moore	40.25
Geo. H. Nash	63.80
R. N. Ricketts	18.26
Harold Wiltermood	34.88
L. M. Clough Co.	11,212.62
Powell Bros., Inc.	850.61
E. K. Wood Lumber Company	3,920.37
Port Revolving Fund - Misc.	373.36
Pay Rolls - Administrative Department	2,128.78
"    "    - Airport	860.00
"    "    - Engineering Department	2,183.55
"    "    - Grove and Market Street Piers	1,568.93
"    "    - Maintenance Department	3,484.64
"    "    - Ninth Avenue Pier	679.75
"    "    - Outer Harbor Terminal	5,341.51
"    "    - Traffic Department	1,372.35
1925 OAKLAND HARBOR IMPROVEMENT BOND FUND:	
Geo. M. Robinson Company	7,220.31
Calaveras Cement Company	446.75
	<hr/>
	\$47,442.43"

"RESOLUTION NO. 4803

RESOLUTION APPROVING WEEKLY PAYROLLS,  
RATIFYING ALL HERINGS AND EMPLOYMENTS  
THEREIN AND REIMBURSING PORT REVOLVING  
FUND.

BE IT RESOLVED that the weekly payrolls for the weeks ending August 23 and August 30, 1938, be and tbe same are hereby approved and the hiring or employment of each and all of the services therein set forth at the compensations therein paid is hereby ratified, confirmed and approved, and

BE IT FURTHER RESOLVED that the demand against the Harbor Maintenance and Improvement Fund for the reimbursement of the Port

100

Revolving Fund in the amount set forth therein, having been approved by the Auditing Committee, is hereby approved and allowed, and the City Auditor be and he is hereby authorized and directed to draw his warrant for the same and make such reimbursement.

HARBOR MAINTENANCE AND IMPROVEMENT FUND:  
Port Revolving Fund Payrolls - \$4,624.13"

"RESOLUTION NO. 4804

RESOLUTION CONCERNING ACCEPTANCE OF  
CONTRACT WITH HEALY-TIBBITTS CONSTRUCTION  
CO. UNDER P.W.A. DOCKET CALIF. 1629-DS,  
CONTRACT NO. 1.

Whereas, Healy-Tibbitts Construction Co., a corporation, as assignee of Healy-Tibbitts Construction Company, a corporation, has faithfully performed all the terms and conditions of, and has completed that certain contract with the Port, dated December 10, 1937, Auditor's No. 6412, P.W.A. Docket Calif. 1629-DS, Contract No. 1, for the construction of Wharf Extension to Ninth Avenue Pier; now, therefore, be it

RESOLVED that said contract be and it is hereby accepted; and be it further

RESOLVED that all actions taken and orders issued by the Port Manager and Chief Engineer in connection with the performance of said contract be and the same are hereby ratified, confirmed and approved; and be it further

RESOLVED that a notice of completion of said contract be filed with the County Recorder of Alameda County."

"RESOLUTION NO. 4805

RESOLUTION ACCEPTING CONTRACT OF  
JULY 13, 1938 WITH L.M. CLOUGH  
COMPANY.

Whereas, L. M. Clough Company has faithfully performed all the terms and conditions of and has satisfactorily completed that certain contract with the Port dated July 13, 1938, Auditor's No. 6530, for the furnishing and delivering of 20,000 tons, more or less, of crusher run rock to Oakland Municipal Airport; now, therefore, be it

RESOLVED that said contract be and it is hereby accepted."

"RESOLUTION NO. 4806

RESOLUTION AUTHORIZING SUBSTITUTION  
OF BOND TO SECURE PERFORMANCE OF  
CONTRACT BY WALTER P. KOETITZ.

BE IT RESOLVED that Walter P. Koetitz, contractor under that certain contract with this Board dated June 28, 1938, Auditor's No. 6529, for the furnishing on a rental basis of a floating pile-driver, be and he is hereby permitted to substitute a surety company bond to secure the faithful performance of such contract, in lieu of the certified check in the sum of \$240.00 now held by this Board for such purpose; and be it further

RESOLVED that the bond submitted by said Walter P. Koetitz, executed by him as principal and by Fidelity and Deposit Company of Maryland, a corporation, in the penal sum of \$500.00 and conditioned on the faithful performance of said contract, be and the same is hereby approved, and the same is hereby accepted in lieu of said check; and be it further

RESOLVED that the Port Manager be and he is hereby authorized to return said certified check to said Walter P. Koetitz."

"RESOLUTION NO. 4807

RESOLUTION RATIFYING APPOINTMENT  
OF HAROLD S. McCORMICK TO TEMPORARY  
POSITION OF JANITOR.

BE IT RESOLVED that the appointment of Harold S. McCormick to the temporary position of janitor as created by Port Resolution No. 4723, with pay at \$100.00 a month, effective September 2, 1938, be and the same is hereby ratified, confirmed and approved."

"RESOLUTION NO. 4808

RESOLUTION RATIFYING APPOINTMENT  
OF DEWEY C. KEPLER TO TEMPORARY  
POSITION OF NOZZLEMAN OR LABORER.

BE IT RESOLVED that the appointment of Dewey C. Kepler to the temporary position of Nozzleman or Laborer as created by Port Resolution No. 4671, with pay at \$1.25 per hour when working as Nozzleman and \$0.75 per hour when working as Laborer, effective September 1, 1938, be and the same is hereby ratified, confirmed and approved."

"RESOLUTION NO. 4809

RESOLUTION RATIFYING APPOINTMENT  
OF HAROLD C. RICHARDSON TO TEMPORARY  
POSITION OF GUN OPERATOR OR LABORER.

BE IT RESOLVED that the appointment of Harold C. Richardson to the temporary position of Gun Operator or Laborer as created by Port Resolution No. 4671, with pay at \$0.90 per hour when working as Gun Operator and \$0.75 per hour when working as Laborer, effective September 1, 1938, be and the same is hereby ratified, confirmed and approved."

"RESOLUTION NO. 4810

RESOLUTION RATIFYING APPOINTMENT  
OF GEORGE L. BERTOTTI AS ENGINEER-  
ING AID.

BE IT RESOLVED that the regular appointment of George L. Bertotti to the position of Engineering Aid, Port Ordinance No. 222, Sec. 4.09, at \$5.00 per day, effective September 1, 1938, be and the same is hereby ratified, confirmed and approved."

"RESOLUTION NO. 4811

RESOLUTION APPROVING TRANSFER OF  
PETER VAN DER VLIES TO POSITION  
OF PORT MAINTENANCE LABORER.

BE IT RESOLVED That the transfer of Peter Van der Vlies from the position of semi-skilled laborer in the Street Department to that of Port Maintenance Laborer, Port Ordinance No. 222, Sec. 5.03, at \$5.00 per day, effective September 1, 1938, be and the same is hereby approved."

"RESOLUTION NO. 4812

RESOLUTION GRANTING LEAVE OF  
ABSENCE WITHOUT PAY TO WALLACE BERGMAN,  
PORT WATCHMAN.

BE IT RESOLVED that therequest of Wallace Bergman, Port Watchman, Port Ordinance No. 222, Sec. 8.21, for a leave of absence for seven days commencing September 10, 1938, without pay, be and



the same is hereby granted."

"RESOLUTION NO. 4813

RESOLUTION GRANTING PERMIT TO  
ATLAS IMPERIAL DIESEL ENGINE CO.  
TO MAKE CERTAIN IMPROVEMENTS ON  
LEASED PREMISES.

RESOLVED that the application of Atlas Imperial Diesel Engine Co., a corporation, dated August 31, 1938, accompanied by blueprints, for permission to install an office and vault in the premises proposed to be leased to it pursuant to Port Ordinance No. 287, and to otherwise improve said premises at its expense, having been approved by the Port Manager, permission to make such improvements is hereby granted; be it further

RESOLVED that the Board hereby expresses its appreciation for the constructive and cooperative manner in which the applicant is endeavoring to cooperate with the Board in improving such facilities and in promoting the interests of the Port of Oakland."

"RESOLUTION NO. 4814

RESOLUTION AUTHORIZING PORT ATTORNEY  
TO ATTEND CONVENTION OF LEAGUE OF  
CALIFORNIA MUNICIPALITIES.

RESOLVED that the Port Attorney is hereby authorized and directed to attend the Convention of League of California Municipalities being held September 6th to September 10th at Santa Barbara, California, for the purpose of conferring with Directors of the Convention and officials representing California municipalities relative to issues of federal taxation, the proposed issuance of State retirement warrants and other matters which may affect the interests of the Port of Oakland, his transportation, hotel and other incidental expenses to be reimbursed upon the filing of appropriate vouchers."

PORT ORDINANCE NO. \_\_\_\_\_ being "AN ORDINANCE AMENDING SECTIONS 2.12 AND 4.09 OF PORT ORDINANCE NO. 222, AND ADDING SECTIONS 5.021, 5.022 AND 5.023 THERETO," was introduced and passed to print by the following vote:

- AYES: Commissioners Colbourn, Fisher, Pardee and President McElroy -4-
- NOES: None
- ABSENT: Commissioner Roland, on leave -1-

Pursuant to Resolution No. 4786 and advertising for five consecutive days in the City's official newspaper, bids for ONE FORK LIFT DOCK TRUCK were received between the hours of 3:30 and 4:30 p.m. At the hour of 4:30 p.m., the following bids, being all the bids received, were publicly opened:

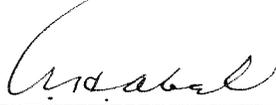
## BIDS FOR

## ONE 3-TON GAS ENGINED FORK LIFT DOCK TRUCK

<u>Bidder</u>	<u>Lump Sum</u>	<u>Certified Check</u>
The Baker-Raulang Co. GJM	\$3,913.50	
GJMH	4,328.75	\$432.88
Ira G. Perin	4,324.00	485.00
Clark Celfor Tool Corporation	4,568.70	456.87

These bids were referred to the Port Attorney as to legality and the Port Manager for recommendation as to acceptance of the bids.

ADJOURNED.

  
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 S E C R E T A R Y

## REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

of the

## PORT OF OAKLAND

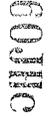
Held on Monday, September 12, 1938, at the hour of 3:15 o'clock p.m., in the office of the Board, Room 75, Grove Street Pier, due written notice of such meeting having been given members of the Board.

Commissioners present: Colbourn, Fisher, Pardee and President  
 McElroy -4-  
 Commissioner absent: Roland, on leave -1-

The Port Manager, Port Attorney and Assistant Chief Engineer were also present.

The minutes of the regular meeting of September 6, 1938 were read, approved and adopted.

Communication from Brotherton, Thomas and Company, Certified Public Accountants, requesting to be engaged to audit the Board's accounts for the fiscal year ending June 30, 1938, was read and following discussion, the Port Manager was directed to arrange with Brotherton, Thomas and Company



for the audit of the Port's accounts at their quotation of \$450.00, which amount has been paid in previous years for a like audit.

Copy of Port Manager's letter to Mr. Chas. R. Schwanenberg, City Manager, Alameda, advising the Board is in accord with their proposal to construct a second tube under the estuary to connect Webster Street in Alameda and that it would lend its assistance to the extent of its ability in furthering this project, was filed.

Communication from the Port Manager, relative to conversation with Mr. Irving Kahn in respect to the right-of-way for the proposed East Shore Highway across Brooklyn Basin area, was filed.

The Port Manager's Certificate of Completion of contract with Lee J. Immel for placing concrete pipe and appurtenances across the Key Route Mole was filed.

Communication from the Port Manager, relative to the proposed lease with the General Engineering & Dry Dock Co., was read and the following action taken:

- (a) The recommendation of the Port Manager, that the provision of the new lease, requiring a continuing obligation on the part of the General Engineering & Dry Dock Co. by reason of not having fulfilled its obligations under the old 1911 lease with reference to returning structures in good condition be eliminated, was approved, inasmuch as a recent inspection shows the structures on the area in question now to be in a reasonably good state of repair;
- (b) The question of the elimination of the provision in the new lease, requiring the payment of dockage on vessels docked for casual lay up, was held over for further consideration; and
- (c) With respect to the payment of back rentals, the Port Manager was instructed to confer with the General Engineering & Dry Dock Co., and with the other Brooklyn Basin lessees, where back rentals are involved, and taking into account the past rental paid, the new rental agreed upon, and the state of repair of the premises concerned, determine a fair amount to be paid as back rental and report the amount so determined to the Board for its further consideration.

Communication from Wm. Steinberg, Attorney, representing the Stone interests, in respect to providing a 100-foot roadway extending from Hegenberger Road to the Airport dock, was referred to the Port Manager and Port Attorney for investigation and report.

Communication from Commissioner Roland to President McElroy, relative to foreign ports and port facilities with an interesting comparison given as to the management of American and foreign ports, was filed.

The Port manager reported as follows on the status of certain funds as of September 9, 1938:

Harbor Maintenance and Improvement Fund (No. 226)

Unencumbered Cash Balance as of September 9, 1938 .....	\$46,333.72
Set up in Special Funds 220 and 222 .....	75,000.00
Total Unencumbered Cash in all revenue funds	
as of Sept. 9, 1938 .....	121,333.72
Total Unencumbered Cash in all revenue funds	
as of August 31, 1938 .....	98,508.95

1925 Oakland Harbor Improvement Fund (No. 567)

Cash Balance as of September 9, 1938 .....	196,347.00
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The Port Manager's progress report for the month of August, 1938 was filed.

The report of the Port Manager on bids received September 6, 1938 for furnishing and delivering one 3-ton fork lift truck was read and resolution later passed awarding the bid for the fork lift truck to Ira G. Perin.

The report of the Port Attorney, relative to the Convention of League of California Municipalities held at Santa Barbara during the week beginning September 5, was read and filed.

The Board's attention was called to the visit of the House Committee on Naval Affairs to the Oakland Naval Supply base site on September 21, the members who have definitely indicated their intention to make the inspection trip being Representatives Norman Hamilton (D.Virginia), Ralph O. Brewster (R. Maine), James G. Scrugham (D. Nevada), Geo. J. Bates (R. Mass.), Warren G. Magnuson (D. Washington), Byron Scott (D. Calif.), James W. Mott (R. Oregon), and that the Chamber of Commerce is making arrangements to entertain the Committee.

The Port Manager stated that arrangements had been made by the Junior Chamber of Commerce to receive Douglas Corrigan, who will visit Oakland Municipal Airport on Thursday, September 15 at 11:00 a.m., and that luncheon arrangements are also being made by the Junior Chamber.

The Port Manager reported that during August, 1938, 63 transport planes could not use San Francisco Airport, due to unfavorable conditions, and that all schedules used Oakland Airport.

The Port Attorney stated that he had filed answer in the suit of Clinton Mill & Lumber Co. with cross complaint setting up title of the City to whole of the area between East 8th Street and the 7th Street tracks, and between 3rd Avenue and the North Arm of the Estuary.

In respect to the matter of the "Golden Gate" ferryboat now sunk in the Outer Harbor Terminal basin, the Port Manager reported that he had apparently exhausted all possibility of getting the representatives of the owner of the boat to remove it and recommended that legal steps be taken

to abate the nuisance. The Board directed the Port Attorney to report at the next meeting on the necessary legal steps required to be taken to cause the removal of the ferryboat.

The Port Manager called attention of the Board to a press report that a group of yacht owners, headed by H. G. Stevens, 727 Wesley Avenue, were endeavoring to arrange for use of Outer Harbor basin as a temporary yacht harbor.

Messrs. Corbin and Bollinger, representatives of the Junior Chamber of Commerce, met with the Board relative to the holding of Port of Oakland Day. Mr. Bollinger stated that the Junior Chamber was desirous of sponsoring a Port of Oakland Day with a luncheon at the Outer Harbor Terminal, similar to the one held last year, but that in order to put the project over, in a creditable manner, more money would be required than had been previously made available. A tentative budget was submitted, indicating that there would be a deficiency of approximately \$570 in the estimated expenses over the expected revenues. The expenses included an item for a radio hookup for broadcasting the program during the luncheon. The proposed budget, as presented, was tentatively approved and the sum of \$500 was determined upon as the contribution of the Port for this purpose, it being understood that the budget would be revised so as to come within the anticipated revenues, without the elimination of the item for broadcasting the luncheon program. The date for Port of Oakland Day was tentatively set for October 7 and placing of the program in the issue of the Compass, immediately prior to the date determined upon, was authorized.

The report of the Auditing Committee on claims and demands was adopted.

The following resolutions were introduced and passed by the following vote:

AYES: Commissioners Colbourn, Fisher, Fardee and President  
McElroy -4-  
NOES: None  
ABSENT: Commissioner Roland, on leave -1-

"RESOLUTION NO. 4815

RESOLUTION APPROVING AND ALLOWING  
CERTAIN CLAIMS AND DEMANDS.

RESOLVED: That the following claims and demands, having been approved by the Auditing Committee, be and the same are hereby approved and allowed by the Board of Port Commissioners and the Auditor is authorized to draw his warrant for the same out of the proper Fund:

HARBOR MAINTENANCE AND IMPROVEMENT FUND:  
Acme Equipment Company \$ 15.30  
Air Reduction Sales Co. 15.76

Alhambra Water Company	\$	1.24
Associated Stationers		23.78
Baker, Hamilton & Pacific Company		13.89
George Baljevich		.72
Geo. R. Borrmann Steel Company		176.53
Dayton Thorobred Tires		65.11
L. M. Clough Company		669.50
Cochran & Celli		4.31
Columbia Wood and Metal Preservative Co.		90.64
Henry Cowell Lime and Cement Co.		74.88
H. S. Crocker Company, Inc.		22.72
Milt Dohner		8.32
East Bay Glass Company		4.98
The Electric Corporation		111.05
Fageol Truck & Coach Co.		14.59
Firestone Auto Supply & Service Stores		1.25
Gar Wood Industries, Inc.		25.22
The Hancock Oil Co. of Calif.		103.09
Herrick Iron Works		21.22
Hersey Manufacturing Company		11.07
Lee J. Immel		168.00
Industrial Steel Treating Co.		5.00
Interstate Stucco Company		6.18
Geo. A. Kreplin Co.		1.22
Lawton & Williams		84.10
Maxwell Wholesale Hardware Company		90.59
Melrose Lumber & Supply Co.		82.35
Albert C. Moe		170.31
National Lead Company		40.65
Oakland Plumbing Supply Co.		3.11
Oakland Rim and Wheel Co.		2.58
Pacific Tool and Supply Company		9.62
Planett Manufacturing Company		293.11
Powell Bros. Inc.		19.36
Schirmacher Co.		12.41
Shell Oil Company		51.56
B. Simon Hardware Co.		20.59
Smart and Mitchell		16.25
Smith Brothers		18.05
Tide Water Associated Oil Company		69.25
Transit Concrete		50.94
Voegtly & White		40.38
Walworth California Company		2.82
Wonderlite Neon Products Co., Inc.		6.56
E. K. Wood Lumber Co.		35.84
L. M. Clough Company		1,653.41
W. P. Koetitz		400.00
1925 OAKLAND HARBOR IMPROVEMENT BOND FUND:		
Calaveras Cement Company		415.48
Independent Construction Company		2,140.13
		<u>\$7,385.02"</u>

"RESOLUTION NO. 4816

RESOLUTION CONCERNING ACCEPTANCE OF  
CONTRACT WITH LEE J. IMMEL FOR THE  
PLACING OF CONCRETE PIPE ACROSS  
KEY ROUTE MOLE.

Whereas Lee J. Immel has faithfully performed all the terms and conditions of and has completed that certain contract with the Port, dated September 13, 1937, Auditor's No. 6385, for the placing of concrete pipe and appurtenances across the Key Route Mole; now, therefore, be it

RESOLVED that said contract be and it is hereby accepted; and be it further

RESOLVED that all actions taken and orders issued by the Port Manager and Chief Engineer in connection with the performance of said contract be and the same are hereby ratified, confirmed and approved; and be it further

RESOLVED that a notice of completion of said contract be filed with the County Recorder of Alameda County."

"RESOLUTION NO. 4817

RESOLUTION AWARDING CONTRACT FOR  
FURNISHING AND DELIVERING ONE 3-TON  
GAS ENGINED FORK LIFT DOCK TRUCK.

BE IT RESOLVED that the contract for the furnishing and delivering of one 3-Ton Gas Engined Fork Lift Dock Truck be and the same is hereby awarded to Ira G. Ferin in accordance with the terms of his bid filed with this Board September 6, 1938, said bidder being hereby determined to be the lowest responsible bidder; and be it further

RESOLVED that pursuant to the specifications the certified check accompanying said bid shall be held in lieu of bond to secure the faithful performance of said contract and that upon such performance said certified check shall be returned to said bidder; and be it further

RESOLVED that the other bids received for said contract, including that of The Baker-Raulang Company, be and the same are hereby rejected and that the checks accompanying the same shall be returned to the proper persons."

"RESOLUTION NO. 4818

RESOLUTION AUTHORIZING PORT MANAGER  
AND ASSISTANT PORT MANAGER TO ATTEND  
WESTERN AVIATION CONFERENCE.

BE IT RESOLVED that the Port Manager and the Assistant Port Manager (Assistant Port Manager and Assistant Chief Engineer) be and they are hereby authorized to attend the meeting of Western Aviation Conference being held in Los Angeles from September 12th to September 16th, and while there to investigate and confer upon matters relating to airport construction, financing and operation; and be it further

RESOLVED that the expenses incurred in connection therewith shall be reimbursed upon the presentation of proper vouchers therefor."

"RESOLUTION NO. 4819

RESOLUTION APPROVING PLANS AND SPECIFICATIONS  
FOR INSTALLATION OF POWER SERVICE AT SEVENTH  
STREET UNIT, OUTER HARBOR TERMINAL, AND DIRECTING  
ADVERTISEMENT FOR BIDS.

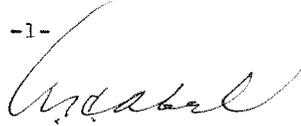
BE IT RESOLVED that the plans and specifications, and other provisions relative thereto, submitted for the installation of electric wiring and other facilities for power service at Seventh Street Unit, Outer Harbor Terminal, together with the manner indicated for the payment therefor, be and the same are hereby approved; and be it further

RESOLVED that the Secretary be and he is hereby authorized to advertise for five (5) consecutive days in the official newspaper for sealed proposals therefor as required by law."

Port Ordinance No. 228 being "AN ORDINANCE AMENDING SECTIONS 2.12 and 4.09 of PORT ORDINANCE NO. 222, AND ADDING SECTIONS 5.021, 5.022 and 5.023 THERETO", having been duly introduced, read and published, was finally adopted by the following vote:

AYES: Commissioners Colbourn, Fisher, Pardee and  
President McElroy -4-  
NOES: None  
ABSENT: Commissioner Roland, on leave -1-

ADJOURNED.

  
\_\_\_\_\_  
S E C R E T A R Y

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

of the

PORT OF OAKLAND

Held on Monday, September 19, 1938, at the hour of 3:15 o'clock p.m., in the office of the Board, Room 75, Grove Street Pier, due written notice of such meeting having been given members of the Board.

Commissioners present: Colbourn, Fisher, Pardee, Roland and President McElroy -5-

Commissioners absent: None

The Port Manager, Port Attorney and Assistant Chief Engineer were also present.

The minutes of the regular meeting of September 12, 1938 were read, approved and adopted.

Communication from Major John C. Gray, commanding the Air Corps Detachment, U. S. Army, expressing appreciation for the courteous and cooperative service received from the Airway Traffic Control Tower at Oakland Municipal Airport in connection with their night time practice on September 9 and 10, was filed.

Communication from Civil Aeronautics Authority, requesting use of ground space for two single garages in rear of hangars at Oakland Municipal Airport for the department's use, was read and resolution later passed, granting request and waiving the rental charge of one dollar per month.

Certified copy of Oakland City Council Resolution No. 6850 C.M.S., expressing appreciation for the award of the Frances Conway Memorial Trophy to the Oakland Naval Reserve Aviation Base at Oakland Municipal Airport, was filed.

Communication from Wagner & Glidden, insurance adjusters for Libby, McNeill & Libby, advising that the Port of Oakland is responsible for damage resulting from sprinkler leakage and demanding acceptance of liability, was read and the Port Attorney stated that the Board is fully covered by its own insurance with the Home Insurance Company and that there were several insurance companies involved, including the insurance company representing the Matson Navigation Company, which delivered the cargo to the dock, and it is believed their marine insurance is also involved inasmuch as the cargo is still in transit.



Preliminary report of the Maritime Commission in the Stockton-European rate case, which holds that Stockton is not entitled to compel service of steamship lines, together with report of the Port Attorney in respect thereto, was read, and the Port Attorney stated that a conference would be held with the attorneys of the steamship lines during the week for discussion of further steps which may be advisable in regard to the matter.

Communication from J. L. Vincenz, Chairman Municipal Airports Committee of the League of California Municipalities, calling meeting at Fresno on September 28 for discussion of proposed recommendation to Congress for Federal participation in construction and maintenance of airports, was read, and the Port Manager directed to attend the conference.

Communication from Smith W. Wilson, Secretary, Port of Seattle, requesting endorsement of Colonel W. C. Bickford for the position of Pacific Coast Representative on the Maritime Commission, was read, and the Port Manager directed to advise Mr. Wilson that the Board would not depart from its policy of not endorsing a person for public position, but that it was the consensus of the Board that the appointment should be given to a qualified representative from the Pacific Coast.

Copy of minutes of meeting of the Oakland Chamber of Commerce Maritime and Harbor Committee, making certain recommendations having to do with the transportation problem of the City of Alameda, was filed.

Communication from Captain Henry de F. Mel, Assistant to Paymaster General of the Navy, advising as to the committee which is to inspect the Naval Supply Depot site on Thursday, September 22, was filed.

The Port Manager reported as follows on the status of certain funds as of September 16, 1938:

<u>Harbor Maintenance and Improvement Fund (No. 226)</u>	
Unencumbered Cash Balance as of Sept. 16, 1938.....	\$ 44,666.26
Set up in Special Funds 220 and 222.....	75,000.00
Total Unencumbered Cash in all revenue funds	
as of Sept. 16, 1938.....	119,666.26
Total Unencumbered Cash in all revenue funds	
as of Aug. 31, 1938.....	95,508.95

<u>1925 Oakland Harbor Improvement Fund (No. 567)</u>	
Cash Balance as of September 16, 1938.....	116,715.00

Report of Port operations for the past fiscal year ended June 30, 1938, as prepared by the Chief Port Accountant, showing the increase in revenues over the previous year, was filed.

The Board's attention was called to the arrangements which had been made for inspection of the Oakland Naval Supply Depot site by the special Congressional Committee, consisting of Representatives Byron Scott,

Chairman, Warren G. Magnuson, James W. Mott, George J. Bates, Leonard W. Schuetz, W. Sterling Cole and James G. Scrugham. It was noted that the Committee would arrive by airplane at the Oakland Municipal Airport at 10:30 a.m., September 21, and would then go by bus to Vallejo for inspection of the Mare Island Navy Yard, returning in time for a dinner at 7:00 p.m. at the Hotel Oakland, sponsored by the Oakland Chamber of Commerce; further, that the Committee would visit the proposed Naval Supply Depot site in the Middle Harbor on Thursday morning, September 22, and later proceed to San Francisco for an inspection of the India Basin site, following which the Committee would return to Oakland Municipal Airport for luncheon, leaving shortly thereafter for Salem, Oregon. President McElroy stated that he would greet the Committee on their arrival and later accompany the Committee on the inspection trip. All the Commissioners accepted the invitation to attend the dinner in honor of the visiting Congressional Committee.

The attention of the Board was called to the action by the San Francisco Supervisors in reducing the charges assessed against air lines using San Francisco Airport, whereby the revenue of the airport would be reduced by \$10,000 annually, it being stated that the reason for the reduction in charges was to take business away from Oakland Municipal Airport. The Port Manager informed the Board that he had wired Transcontinental & Western Air for the new rates which would be paid by their line and had likewise requested the United Air Lines to favor the Board with this information and that as soon as this data was received, consideration would have to be given to a like reduction to the T.W.A. at Oakland Municipal Airport.

The Board discussed matters pertaining to the further development of Oakland Municipal Airport as related to the proposed shops of the United Air Lines and request by the Naval Reserve and Army Reserve Air Bases for increased facilities, necessitated by enlargement of their activities. It was indicated that funds in excess of one million dollars would be necessary to finance improvements required to meet the demands of activities at the Airport. Consideration was also given to the report of the offer of the City of San Francisco to the United Air Lines to provide facilities at a cost of \$750,000 at San Francisco Airport for the accommodation of the United Air Lines' shops. The Port Manager was requested to prepare a report on the matter for the next meeting, following which a meeting is proposed to be held with the City Council in executive session, and with representatives of the Chamber of Commerce,

for a further discussion leading to determination as to the course to be followed in the development of the Airport.

The Port Attorney reported that the Maritime Commission had rendered final decision in Docket No. 485, Intercoastal Joint Rates via On-Carriers, with a revision to the effect that an extension of rates to Sacramento was an open issue, as was contended by the Port Attorney.

The Port Attorney stated that the Maritime Commission had submitted a preliminary report in the Pacific Northwest European Rate case, Docket No. 477, holding that complainants had failed to make out a case against the steamship lines.

The Port Attorney reported that the New York counsel had submitted further briefs in the petition for a re-hearing by the U.S. Supreme Court in the New York Port Authority Federal taxation case and that he had been requested to participate in the petition on behalf the American Association of Port Authorities.

The Port Manager stated that officials of the Works Progress Administration had requested that additional heating facilities be placed in the warehouse at 19th Avenue and Livingston Street, at a cost of approximately \$1000.00, and that he would investigate and report on the matter. Inasmuch as the rental rate is only \$200 per month, it did not appear that a large investment could be made.

Copies of resolution adopted by the League of California Municipalities, at its recent convention in respect to the \$30-a-week plan, were presented to the Board members.

In respect to the "Golden Gate" ferryboat matter, the Port Manager reported that he had spent considerable time on Sunday, September 18, urging Lim Sing and his contractor, George Renner, to proceed with the removal of the ferryboat from the Outer Harbor basin and that Lim Sing had stated that he and his attorney, Mr. Fred McDonald, would confer with the Port Manager and Port Attorney on Tuesday, September 20, and at that time hoped to have all the details worked out in respect to the removal of the boat.

At the verbal request of the Junior Chamber of Commerce, the date set for the Port day luncheon at the Outer Harbor Terminal was advanced from Friday, October 7 to Thursday, October 6.

President McElroy and Commissioner Colbourn, who represented the Board during the visit of Douglas Corrigan, transatlantic flier, verbally reported on this event.

The reports of the Auditing Committee on claims and demands, and on the weekly payrolls, were adopted.

The following resolutions were introduced and passed by the following vote:

AYES: Commissioners Colbourn, Fisher, Pardee, Roland and  
President McElroy -5-

NOES: None

ABSENT: None

"RESOLUTION NO. 4820

RESOLUTION APPROVING AND ALLOWING  
CERTAIN CLAIMS AND DEMANDS.

RESOLVED: That the following claims and demands, having been approved by the Auditing Committee, be and the same are hereby approved and allowed by the Board of Port Commissioners and the Auditor is authorized to draw his warrant for the same out of the proper Fund:

HARBOR MAINTENANCE AND IMPROVEMENT FUND:

Pay Rolls - Administrative Department	\$ 2,151.24
" " - Airport	860.00
" " - Engineering Department	2,179.50
" " - Grove and Market Street Piers	1,505.58
" " - Maintenance Department	3,062.95
" " - Ninth Avenue Pier	642.52
" " - Outer Harbor Terminal	5,248.49
" " - Traffic Department	1,392.50
Port Revolving Fund - Miscellaneous	145.85
H. G. Adam	12.00
A. C. Meadows	11.97
	<u>\$17,212.60"</u>

"RESOLUTION NO. 4821

RESOLUTION APPROVING WEEKLY PAY ROLLS  
RATIFYING ALL HIRINGS AND EMPLOYMENTS  
THEREIN AND REIMBURSING PORT REVOLVING  
FUND.

BE IT RESOLVED that the weekly pay rolls for the weeks ending September 6 and September 13, 1938, be and the same are hereby approved and the hiring or employment of each and all of the services therein set forth at the compensations therein paid is hereby ratified, confirmed and approved, and

BE IT FURTHER RESOLVED that the demand against the Harbor Maintenance and Improvement Fund for the reimbursement of the Port Revolving Fund in the amount set forth therein, having been approved by the Auditing Committee, is hereby approved and allowed, and the City Auditor be and he is hereby authorized and directed to draw his warrant for the same and make such reimbursement.

HARBOR MAINTENANCE AND IMPROVEMENT FUND:

Port Revolving Fund Pay Rolls \$4,105.37."

"RESOLUTION NO. 4822

RESOLUTION AUTHORIZING COMPROMISE  
AGAINST ALCOR AIRCRAFT CORPORATION.

Whereas, Alcor Aircraft Corporation is indebted to the Port in the sum of \$619.02; and

Whereas, the principal asset of said corporation was a certain airplane under course of construction, which airplane was

destroyed while undergoing tests; and

Whereas, said corporation has received certain insurance moneys on account of said accident which are sufficient to pay creditors fifty cents on the dollar; and

Whereas, it appears that collection of said claim, or any part thereof, is otherwise impossible, and that it would be to the best interest of the Port to settle its claim on the basis indicated; now, therefore, be it

RESOLVED that the Port Manager be and he is hereby authorized to enter into an arrangement with Alcor Aircraft Corporation compromising and settling in full the claim of the Port upon receiving the sum of \$309.51; and be it further

RESOLVED that the Chief Port Accountant and the City Auditor, upon crediting such sum of \$309.51 to the account of such debtor, are hereby authorized and directed to cancel the remainder of the indebtedness appearing on such account."

"RESOLUTION NO. 4823

RESOLUTION GRANTING GARAGE SPACE  
AT OAKLAND MUNICIPAL AIRPORT TO  
CIVIL AERONAUTICS AUTHORITY.

BE IT RESOLVED that the United States Civil Aeronautics Authority be and it is hereby granted the revocable privilege of using, without cost, space for one garage opposite Hangar 1 at Oakland Municipal Airport, and space for one garage opposite Hangar 5."

"RESOLUTION NO. 4824

RESOLUTION AUTHORIZING AGREEMENT  
WITH STANDARD MILL & LUMBER CO.

BE IT RESOLVED that the Port Manager be and he is hereby authorized to enter into an agreement with W. J. Roth, an individual doing business under the style of Standard Mill & Lumber Co., as Licensee, providing for the occupancy by Licensee of an area of 4200 square feet in the warehouse designated as No. 471 First Street, together with the open area of 5500 square feet adjacent thereto on the east, on a month to month basis, commencing September 15, 1938, at a rental of \$60.00 per month, and that such agreement shall be upon the general form of license agreement customarily used by this Board."

"RESOLUTION NO. 4825

RESOLUTION REQUESTING THE CITY COUNCIL  
TO ENLARGE THE PORT AREA OF THE CITY  
OF OAKLAND.

Whereas, pursuant to Ordinance No. 795 C.M.S. of the City Council of the City of Oakland, and to Port Ordinances Nos. 272 and 277, this Board by deed recorded July 14, 1938, acquired a certain tract of land lying southeasterly of and adjacent to Oakland Municipal Airport; and

Whereas, said tract was annexed to and became a part of the City of Oakland by virtue of Resolution No. 6729 C.M.S. of the City Council, Port Resolution No. 4754 of the Board of Port Commissioners and Resolution No. 32754 of the Board of Supervisors of Alameda County, and by virtue of other steps taken pursuant to law; and

Whereas, said tract is an integral part of Oakland Municipal Airport, and control and jurisdiction thereover has been conferred on this Board to the extent as if it were originally included in the Port Area of the City of Oakland by virtue of the ordinances above mentioned; and

Whereas, it is desirable that said tract be formally incorporated and included in the Port Area; now, therefore, be it

RESOLVED that this Board hereby requests the City Council of the City of Oakland that it pass an ordinance enlarging the Port Area of the City of Oakland by incorporating and including therein the tract of land above mentioned, situate in the City of Oakland, County of Alameda, State of California, and more particularly described as follows, to-wit:

All that portion of Lot 21 which lies southerly of the Southwestern boundary line of the alleged right of way of the South Pacific Coast Railroad Company, as the same may appear; all that portion of Lot 22 which lies southerly of the said southwestern boundary line of said alleged right of way, and Easterly of the Northwestern line of County Road No. 1434; all those portions of Lots 26 and 27 which lie southeasterly of the northwestern line of said County Road No. 1434, and all of Lots 28 and 29, all in Section 28, Township 2 South, Range 3 West, Mount Diablo base and meridian, and being shown on that certain Map entitled "Sale Map No. 10 of Salt Marsh and Tidelands, situated in the County of Alameda, State of California", prepared by order of Board of Tideland Commissioners, copy of which said map was filed on June 9, 1888 in Liber 17 of Maps at page 30, in the office of the County Recorder of Alameda County."

"RESOLUTION NO. 4826 \

RESOLUTION AUTHORIZING AGREEMENT WITH  
ETHEL G. LITTLE.

BE IT RESOLVED that the Port Manager be and he is hereby authorized to enter into an agreement with Ethel G. Little, doing business under the fictitious style of Terminal Lunch, as Licensee, providing for the occupancy by Licensee of that certain restaurant store in the building adjacent to the quay wall between Grove Street and Clay Street Piers for a period of one year commencing July 1, 1938 and at a monthly rental of \$25.00, and that such agreement shall be upon the general form of license agreement customarily used by this Board."

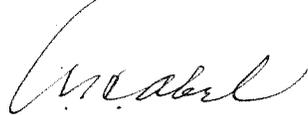
"RESOLUTION NO. 4827

RESOLUTION AUTHORIZING  
AGREEMENT WITH M.P.FROST BOAT CO.

BE IT RESOLVED that the Port Manager be and he is hereby authorized to enter into an agreement with M. P. Frost Boat Co., a California corporation, as Licensee, providing for the occupancy by Licensee of the premises formerly occupied by Yacht Sales and Service Co., on a month to month basis commencing September 1, 1938 at a monthly rental of \$100.00, and that such agreement shall be upon the general form of license agreement customarily used by this Board; and be it further

RESOLVED that said agreement shall provide for the cancellation of that certain agreement between the Port and Yacht Sales and Service Co., predecessor of Licensee, dated December 1, 1937."

ADJOURNED.

  
SECRETARY

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

OF THE  
PORT OF OAKLAND

Held on Monday, September 26, 1938, at the hour of 3:15 o'clock p.m., in the office of the Board, Room 75, Grove Street Pier, due written notice of such meeting having been given members of the Board.

Commissioners present: Colbourn, Fisher, Pardee, Roland  
and President McElroy -5-

Commissioners absent: None

The Port Manager, Port Attorney and Assistant Chief Engineer were also present.

The minutes of the regular meeting of September 19, 1938 were approved, as read, and adopted.

Communication from J. A. Riley, U. S. Weather Bureau Meteorologist, suggesting the placing of the Bureau's Nephoscope on the lawn adjacent to the Sunshine Recorder at Oakland Municipal Airport, so that the public may observe same, was read and the Port Manager directed to arrange for the mounting of the nephoscope as suggested by the Weather Bureau.

Communication from H. R. Higgins, Traffic Manager, Rosenberg Bros. & Co., submitting statement of tonnage handled during the year ending September 15, 1938, showing a total of 132, 494 tons, of which 73,547 tons were handled over Outer Harbor Terminal Wharf, was read and the Port Manager requested to express to Mr. Higgins the Board's appreciation of the increase in shipments made over the Outer Harbor Terminal wharf during the past year.

Communication from A. F. Johnston, Asst. Trust Officer, Bank of America, enclosing copy of receipt of \$8000 in 4% First and Refunding Mortgage Series G Bonds of Pacific Gas and Electric Company, which have been deposited with the bank by Rosenberg Bros. & Co. in lieu of \$8000 in Southern California Edison Co. bonds, which were recalled, was filed.

Communication from Port Attorney, calling the Board's attention to recent important decision rendered by Maritime Commission (Docket No. 481), declaring its jurisdiction not only over private operators but also over State and Municipal operations of port facilities, was read. The Port Attorney stated that a further report on this matter would be given after he had received the full decision.

Communication from the Port Attorney, relative to conference

held September 22 with attorney for the Pacific Coast-European Steamship Lines and others in respect to the filing of exceptions to the report of the Examiner in the Stockton-European Rate Case, was read and the Port Attorney directed to file exceptions to the Examiner's report as recommended.

Communication from the City Manager, submitting invoice in the amount of \$4466.37 expended from Employees Compensation Fund for medical attention and compensation on behalf of employees of the Port Department during fiscal year 1937-1938 and requesting reimbursement, was read and the Port Manager directed to prepare and submit claim in payment of the invoice for the Board's action.

Communication from the California-Nevada Railroad Historical Society, requesting name plates and other items from the ferryboat "Golden Gate", which can be spared, to be placed in its exhibit of historical matter, was read and the Port Manager directed to advise the Society that inasmuch as the ferryboat was not the property of the Port, the name plates requested would have to be obtained from the owners of the derelict.

Communication from the California Committee for Peace in Employment Relations, calling the Port's attention to Proposition No. 1 on November 8 election ballot regulating picketing, was filed.

Copy of report of City Manager Hassler on affairs of the City of Oakland for the month of August was filed.

The Port Manager reported as follows on the status of certain funds as of September 23, 1938:

<u>Harbor Maintenance and Improvement Fund (No. 226)</u>	
Unencumbered Cash Balance as of Sept. 23, 1938.....	\$47,399.73
Set up in Special Funds 220 and 222 .....	75,000.00
Total Unencumbered Cash in all revenue funds	
as of Sept. 23, 1938 .....	122,399.73
Total Unencumbered Cash in all revenue funds	
as of Aug. 31, 1938 .....	98,508.95
<u>1925 Oakland Harbor Improvement Fund (No. 567)</u>	
Cash Balance as of Sept. 23, 1938 .....	166,715.00

Report of the Port Manager, submitting tonnage statistics of the Port and municipally operated facilities for the month of August, 1938 as compared with previous months, was filed.

In respect to the provision of heating facilities in the warehouse at 19th Avenue and Livingston Street for the Works Progress Administration, the Port Manager reported that W.P.A. officials were negotiating for another building for their sewing project and if they are successful, the warehouse will be used for a mattress rehabilitation project, which would not require the heating equipment.



Report of the Oakland Airport Transportation Service, showing income and expense for August 1938 with a loss of \$35.93, but showing a profit of \$69.10 for their service to United Air Lines, was filed.

President McElroy reported on the visit of the Congressional Committee, consisting of Byron Scott, Chairman, (Calif.); Geo. J. Bates (Mass.); J. W. Mott (Oregon); W. G. Magnuson (Wash.); W. Sterling Cole (N.Y.); together with Captain A. H. Mayor, Technical Adviser, and their inspection of the Naval Supply Depot site on Thursday, September 22 and stated that he was satisfied that they were favorably impressed with the site. Favorable comments by Chairman Byron Scott and Congressman Bates, as quoted in the press, were noted.

The Port Attorney reported that word had just been received from the District Court of Appeal that it had denied the motion of the American Dredging Company to dismiss the pending appeal in the condemnation case and assess penalties for a frivolous appeal.

The Board read and approved, with certain additions, draft of letter in respect to the provision of funds for the further improvement of the airport and it was the consensus of the Board that the letter be presented to the Mayor and City Council in executive session at the Mayor's office on Tuesday, September 27.

The Board noted press report that the San Francisco Supervisors approved a reduction of 20% in revenues of San Francisco Airport, stating that this was a weapon to take business away from Oakland Airport.

From press reports it was noted that the American Legion severely criticized Secretary of Labor Madam Perkins for asserted failure to comply with immigration regulations and "attempts to block trial and deportation of Harry Bridges, C.I.O. leader."

The Port Manager reported that the Shepard Steamship Co. steamer WINDRUSH on September 21, 1938 was tied up at Howard Terminal by S.U.P. pickets and that the S.U.P. claimed Shepard Steamship Co. was attempting to operate open shop.

From press reports it was noted that the Maritime Commission and the Dollar Line signed an agreement continuing operation of fleet by the Dollar organization and that twelve vessels of the fleet will be re-conditioned for service.

The Port Manager stated that San Jose had decided to drop port project from the November election ballot, and that the project now appears

dead.

The Port Attorney reported that the City Council had passed to print an ordinance enlarging the Port Area by inclusion of the Airport triangle.

The Port Manager stated he had received a circular from the Civil Aeronautics Authority advising that their survey of the Nation's Airports was now being undertaken, so that it can be completed by February 1, 1939 and recommendations in respect to Federal aid to airports determined for submission at the next session of Congress.

Report of the Auditing Committee on claims and demands was adopted.

The following resolutions were introduced and passed by the following vote:

- AYES: Commissioners Colbourn, Fisher, Pardee, Roland and President McElroy -5-
- NOES: None
- ABSENT: None

"RESOLUTION NO. 4828"

RESOLUTION APPROVING AND ALLOWING CERTAIN CLAIMS AND DEMANDS.

RESOLVED: That the following claims and demands, having been approved by the Auditing Committee, be and the same are hereby approved and allowed by the Board of Port Commissioners and the Auditor is authorized to draw his warrant for the same out of the proper fund:

LEASED WHARF IMPROVEMENT FUND:	
Howard Terminal	\$3,585.92
HARBOR MAINTENANCE AND IMPROVEMENT FUND:	
American Manganese Steel Division	175.25
The American Rubber Manufacturing Co.	5.58
Andreasen & Chambers, Inc.	51.50
Baker, Hamilton & Pacific Company	548.11
Bigge Drayage Company	44.00
Geo. R. Borrmann Steel Company	87.03
California Packing Corporation	40.67
California Rustproofing Company	5.43
California Safe & Lock Co.	10.00
California State Automobile Association	57.97
J. Catucci	33.52
City of Oakland, Garage Department	1.60
Cochran & Celli	6.70
M. L. Cohen Co.	2.06
Columbia Wood and Metal Preservative Co.	42.49
Dock Checkers Employers Association	100.72
Du Frane Machine & Engine Works, Inc.	4.50
East Bay Blue Print & Supply Co.	44.49
East Bay Glass Company	3.54
East Bay Municipal Utility District	67.05
East Oakland Auto Top Shop	1.00
Eastman Kodak Stores, Inc.	12.34
The Electric Corporation	15.14

The Elliott Addressing Machine Company	\$ 11.16
Firestone Auto Supply & Service Stores	20.15
W. P. Fuller & Co.	19.17
Gamerston & Green	14.00
Graphic Arts Engraving Co.	8.08
Greenwood Printers	50.68
Charles R. Hadley Company	6.18
The Hancock Oil Co. of Calif.	296.83
E. R. Hatherly Company	2.50
Hersey Inspection Bureau	27.90
Hersey Manufacturing Company	1.73
Hogan Lumber Company	.98
Independent Carrier Co. Ltd.	116.00
Independent Construction Co. Ltd.	180.00
International Business Machines Corporation	33.00
E. & R. James	25.31
Robert J. Jones	2.58
Kellogg Express & Draying Co.	.85
The Kinneer Manufacturing Co. of California	89.62
Kling-Dawers Stationery Co., Inc.	11.01
Geo. A. Kreplin Co.	2.06
Laird's Stationery	31.99
Libby, McNeill & Libby	156.36
Lumber Terminal Company	10.50
The Marine Exchange of the San Francisco Chamber of Commerce	10.00
C. W. Marwedel	.88
Maxwell Wholesale Hardware Company	69.80
Melrose Building Materials Co.	40.89
Melrose Lumber & Supply Co.	20.19
Merchants Express Corporation	.55
Albert C. Moe	52.83
C. L. Moody Brush Co.	10.61
National Lead Company	352.54
Oakland Airport Inn	1.55
Oakland Air Port Transportation Service	200.00
Oakland Association of Insurance Agents	142.18
The Oakland Planing Mill, Inc.	1.27
Oakland Plumbing Supply Co.	58.69
Oakland Sheet Metal Supply Co.	9.56
Pacific Shipper	85.00
Pacific Gas and Electric Company	1,225.61
Pacific Steel Sales Co., Ltd.	2.17
The Pacific Telephone and Telegraph Company	228.15
City of Oakland, City Hall	434.22
Pacific Tool and Supply Company	17.10
The Paraffine Companies, Inc.	111.11
Payne's Bolt Works	85.80
Plannett Manufacturing Company	368.99
Postal Telegraph-Cable Company	3.96
Printing Plates Incorporated	51.53
Richmond Record Herald	2.75
Rhodes & Jamieson, Ltd.	24.72
Geo. M. Robinson & Co.	125.99
The Ross Carrier Company	7.67
Karl Sandell	17.50
San Francisco Bay Carloading Conference	5.00
San Francisco Commercial Club	40.49
Schirmmacher Co.	.41
Sentinel Sanitary Supply Company	5.56
B. Simon Hardware Co.	21.94
Smith Brothers	8.12
Smith Lumber Company	2.50
Strable Hardwood Company	15.68
Clyde Sunderland	14.42
Tide Water Associated Oil Company	76.60
The Tribune Publishing Co.	3.47
Union Oil Company of California	18.84
Postmaster, Oakland	97.06
Vincent Electric Motor Co.	1.00
Waters Bros. Co.	.93

E. C. Wenger Company	9.71
West Coast Window Shade	6.03
The Western Union Telegraph Company	8.33
Whitthorne & Swan	59.48
White Investment Company	50.00
E. K. Wood Lumber Co.	16.86
Zellerbach Paper Company	34.10
Sam Bates Company	192.75
Lee J. Immel	333.30
Powell Bros. Inc.	627.46
1925 OAKLAND HARBOR IMPROVEMENT BOND FUND:	
Healy-Tibbitts Construction Co.	1,715.18
Calaveras Cement Company	893.50
	<hr/>
	\$14,087.78. "

"RESOLUTION NO. 4829

RESOLUTION AUTHORIZING APPLICATION TO PWA FOR GRANT TO AID FINANCING OF CONSTRUCTION OF HANGAR AT OAKLAND MUNICIPAL AIRPORT, TO BE KNOWN AS HANGAR NO. 6, AND APPURTENANT STRUCTURES.

BE IT RESOLVED that A. H. Abel, as Port Manager and Chief Engineer of this Board be and he is hereby authorized to execute and file an application, on behalf of the City of Oakland acting by and through its Board of Port Commissioners, with the United States of America, Federal Emergency Administration of Public Works, for aid in financing the construction of a hangar at Oakland Municipal Airport, to be known as Hangar No. 6, together with appurtenant structures, and to furnish such information in connection therewith as may be reasonably requested."

"RESOLUTION NO. 4830

RESOLUTION AUTHORIZING APPLICATION TO PWA FOR GRANT TO AID FINANCING OF CONSTRUCTION OF HANGAR AT OAKLAND MUNICIPAL AIRPORT, TO BE KNOWN AS HANGAR NO. 7, AND APPURTENANT STRUCTURES.

BE IT RESOLVED that A. H. Abel, as Port Manager and Chief Engineer of this Board be and he is hereby authorized to execute and file an application, on behalf of the City of Oakland acting by and through its Board of Port Commissioners, with the United States of America, Federal Emergency Administration of Public Works, for aid in financing the construction of a hangar at Oakland Municipal Airport, to be known as Hangar No. 7, together with appurtenant structures, and to furnish such information in connection therewith as may be reasonably requested."

"RESOLUTION NO. 4831

RESOLUTION AUTHORIZING APPLICATION TO PWA FOR GRANT TO AID FINANCING OF CONSTRUCTION OF ADDITION TO TRANSIT SHED NO. 2, OUTER HARBOR TERMINAL.

BE IT RESOLVED that A. H. Abel, as Port Manager and Chief Engineer of this Board be and he is hereby authorized to execute and file an application, on behalf of the City of Oakland acting by and through its Board of Port Commissioners, with the United States of America, Federal Emergency Administration of Public Works, for aid in financing the construction of an addition to transit shed No. 2 at Outer Harbor Terminal, and to furnish such information in connection therewith as may be reasonably requested."

"RESOLUTION NO. 4832

RESOLUTION IN APPRECIATION OF THE NATIONAL RECOGNITION AND HONOR WON BY THE OAKLAND RESERVE AVIATION BASE STATIONED AT THE OAKLAND MUNICIPAL AIRPORT.

Whereas, throughout the fiscal year just closed, the officers and enlisted men of the Oakland Reserve Aviation Base stationed at Oakland Municipal Airport have shown outstanding ability and zeal in the performance of their duties in preparing themselves for purposes of national defense and have been noteworthy for their efficiency of operation and in the general care of their equipment, thus winning the admiration and commendation of all who came to know them and to observe their work; and

Whereas, in national recognition of their accomplishments and high standing, the Edwin Francis Conway Memorial Trophy has been awarded to them, following national competition and inspection, and public officials and citizens of the City of Oakland take pride in this signal distinction and the credit which such honor brings to the Airport and City; now, therefore, be it

RESOLVED, that the Board of Port Commissioners takes this occasion to officially commend the Oakland Reserve Aviation Base and its officers and personnel for the splendid work accomplished by it during the past year and for the national recognition it has so justly won; and be it

FURTHER RESOLVED that a copy of this resolution be forwarded to Captain Van Hubert Ragsdale, formerly Commander of the Oakland Naval Reserve Aviation Base, and to Lieutenant Commander Winfield S. Cunningham, its present Commander, and that the same be inscribed perpetually in the records of Oakland Municipal Airport."

Pursuant to Resolution No. 4809 and advertising for five consecutive days in the city's official newspaper, bids for ELECTRIC POWER FACILITIES at Seventh Street Unit, Outer Harbor Terminal, were received between the hours of 3:15 and 4:15 p.m. At the hour of 4:15 p.m., the following bids, being all the bids received, were publicly opened:

BIDS FOR  
INSTALLATION OF ELECTRIC POWER FACILITIES  
AT SEVENTH STREET UNIT, OUTER HARBOR  
TERMINAL.

<u>Bidder</u>	<u>Lump Sum</u>	<u>Certified Check</u>
T. L. Rosenberg Co.	\$4,225.00	\$425.00
Vincent Electric Motor Co.	4,780.41	478.00
Kerr & Clifford	4,395.79	440.00
California Electric Company	4,487.00	500.00
Scott-Buttner Electric Co.	4,857.00	500.00
Matson Electrical Equipment Co.	4,121.00	415.00
Spott Electrical Co.	4,646.00	465.00
Pacific Electric Motor Co., Inc.	4,466.00	450.00

These bids were referred to the Port Attorney as to legality and the Port Manager for recommendation as to acceptance of the bids.

ADJOURNED.

  
\_\_\_\_\_  
S E C R E T A R Y

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

of the  
PORT OF OAKLAND

Held on Monday, October 3, 1938, at the hour of 3:15 o'clock p.m., in the office of the Board, Room 75, Grove Street Pier, due written notice of such meeting having been given members of the Board.

Commissioners present: Colbourn, Fisher, Pardee, Roland and President McElroy -5-

Commissioners Absent: None

The Port Manager, Port Attorney and Assistant Chief Engineer were also present.

The minutes of the regular meeting of September 26, 1938, were read, approved and adopted.

Copy of the Board's letter, dated September 27, to the Mayor and City Council, setting forth improvements which must be made at Oakland Municipal Airport to meet San Francisco's competition and requesting that the City Council give consideration to placing a bond issue before the voters at the November election, was filed. Following discussion of the matter, the Port Manager was directed to communicate with President W. A. Patterson of the United Air Lines, advising him of the Board's desire to confer with him on his next trip to Oakland, in respect to the location of the company's repair base at Oakland Airport.

Communication from Transcontinental & Western Air, Inc., advising of new reduced rates which they will pay at San Francisco Airport, effective October 1, 1938, and requesting certain concessions in charges at Oakland Airport, together with letter from the Port Manager recommending charges to be made for use of the airport by air transport companies which are not based at the airport, were read and after discussion, it was ordered that an ordinance fixing charges as recommended by the Port Manager be presented for consideration by the Board.

The Port Manager's Certificate of Completion of contract with E. K. Wood Lumber Co., for furnishing and delivering lumber for repair of lumber wharf at the foot of Frederick Street, was filed.

The Port Manager's Certificate of Completion of contract with L. M. Clough Company, for furnishing materials for oil macadam paving at Ninth Avenue Terminal, was filed.

Communication from the Oakland Yacht Club, expressing its thanks for

improvements such as painting and other improvements now being made at the Yacht Harbor and requesting an addition be constructed, inasmuch as the present harbor is completely occupied, was read and the Port Manager directed to advise the Oakland Yacht Club that although the Board was pleased to sponsor the painting and betterments now in progress at the Yacht Harbor, it did not have funds available for any program of enlargement of the facilities as requested.

Communication from Commander Van H. Ragsdale, formerly in charge of Oakland Airport Naval Reserve Base, expressing appreciation for the Board's letter of congratulations on award of the Edwin Francis Conway trophy for highest efficiency in the United States, was filed.

Communications from K. A. Godwin, Regional Director, Public Works Administration, acknowledging the Board's applications for P.W.A. projects for Hangar No. 7, \$319,000; Hangar No. 6, \$1,204,000; and Extension to Transit Shed No. 2, Outer Harbor Terminal, \$172,000, were filed.

Communication from Darius Shipler, Port Maintenance Laborer, requesting sixty days additional leave of absence, commencing October 12, 1938, without pay, on account of sickness attested to by physician, was read and resolution later passed granting the request.

Communication from the Honorable U. S. Webb, urging opposition to any efforts by Congress to establish a right by the Federal Government in the submerged lands or oil deposits therein, was filed.

Copy of opinion of District Court of Appeal, denying motion of the American Dredging Company to dismiss appeal, was filed.

The Port Attorney stated that the City Council has now paid the judgment awarded in the Mileage Gasoline case and presented the following documents, which were ordered filed:

- Executed copy of Satisfaction of Judgment, U. S. District Court No. 2028-R;
- Executed copy of dismissal of Alameda County action against Port, No. 143048;
- Executed copy of dismissal of Alameda County action against City, No. 143047; and
- Executed release of all claims against the City and the Port.

Communication from The Texas Company, requesting permission to construct a 25' x 75' steel frame, galvanized iron covered oil drum cleaning building at their plant at 19th Avenue and Dennison Street, at a cost to them of \$6,476.00, was read and resolution later passed granting their request.

The Port Manager reported as follows on the status of certain funds as of September 30, 1938:

<u>Harbor Maintenance and Improvement Fund (NO. 226)</u>	
Unencumbered Cash Balance as of Sept. 30, 1938.....	\$43,345.97
Set up in Special Funds 220 and 222 .....	75,000.00
Total Unencumbered Cash in all revenue funds	
as of Sept. 30, 1938 .....	118,345.97
Total Unencumbered Cash in all revenue funds	
as of August 31, 1938 ...	98,508.95
 <u>1925 Oakland Harbor Improvement Fund (No. 567)</u>	
Cash Balance as of September 30, 1938 .....	164,715.00

The Board was favored with a visit from Mr. H. R. Higgins, Vice-President, Rosenberg Bros. & Co., who reviewed present conditions as they affected the business of his company.

It was reported that the presentation of the Edwin Francis Conway Trophy, highest award for efficiency, was presented to the Oakland Naval Reserve at Hangar No. 3, Oakland Municipal Airport, on Sunday, October 2, and that Admiral Walter R. Gherardi, Commandant of the Twelfth Naval District and President McElroy had addressed the Reserve officers, personnel and friends, who attended the affair. Commander Cunningham, in charge of the Naval Reserve, paid high compliment to the Board for the fine cooperation which they had given the Reserve.

The Port Attorney reported that exceptions have been filed to the proposed report in the Stockton-European rate case by the Pacific European Conference, the Isthmian Steamship Line, the San Francisco Chamber of Commerce, the Oakland Chamber of Commerce, Howard Terminal, Encinal Terminals, the Italian Steamship Line and by the Port of Oakland and that exceptions by the Port of Stockton were expected to be filed in reply.

In respect to the El Dorado franchise case, the Port Attorney reported that Judge Ogden was still holding the case under submission and that Messrs. Donahue, Richards & Hamlin, and Messrs. Fitzgerald, Abbott & Beardsley have filed extensive demurrers and briefs, urging that littoral owners have the right to wharf out without being required to secure franchises from the City.

The Port Manager reported that Fred McDonald, Attorney for Lim Sing, had advised him that arrangements were being perfected for removal of the ferryboat "Golden Gate" and that another meeting would be held on October 4 with his client. The Port Attorney advised that a lien could be filed on the vessel for services performed in moving the boat from the dock to its present location in the basin and the title to the boat obtained through this procedure. After discussion the Board felt that the exercise



of a right of lien might prove unsafe and directed the Port Attorney to proceed with the filing of an action after publishing of summons against Allen Lamb, while awaiting the outcome of further negotiations with Lim Sing and his attorney.

The attention of the Board was called to changes made by President W. A. Patterson of the United Air Lines in the officials of his organization.

From press reports it was noted that Los Angeles was threatening to cause the removal of the headquarters of the Dollar Line from San Francisco to Los Angeles.

The Port Manager stated that a conference was held with William Steinberg, Attorney for the Stone interests, who are agreeable to deed a 100-foot right-of-way for a roadway extending from Hegenberger Road to the airport dock just north of Southern Pacific/<sup>Railroad</sup>right-of-way, as described in letter to the Board under date of September 12, 1938. After discussion, the Port Manager was directed to advise Mr. Steinberg that an agreement would be prepared for the acceptance of the right-of-way for this future road.

From press reports it was noted that marine insurance rates had dropped to normal, with the passage of the war scare and that it was expected that a heavier movement of cargo to Europe would result.

From announcement received from the Foreign Trade and Harbor Club, it was noted that Commissioner Roland would address the Club at its meeting of October 6, reviewing his travels in Europe.

The reports of the Auditing Committee on claims and demands, and on the weekly payrolls, were adopted.

The following resolutions were introduced and passed by the following vote:

- AYES: Commissioners Colbourn, Fisher, Pardee, Roland and President McElroy -5-
- NOES: None
- ABSENT: None

"RESOLUTION NO. 4833

RESOLUTION APPROVING AND ALLOWING CERTAIN CLAIMS AND DEMANDS.

RESOLVED: That the following claims and demands, having been approved by the Auditing Committee, be and the same are hereby approved and allowed by the Board of Port Commissioners and the Auditor is authorized to draw his warrant for the same out of the proper Fund:

HARBOR MAINTENANCE AND IMPROVEMENT FUND:

Air Reduction Sales Co.	\$ 22.79
American Auto Metal Works	2.75
Bay City Sanitary Rag Co.	6.06
Geo. R. Borrmann Steel Company	203.33
Calaveras Cement Company	285.92
The Central Foundry Company	3.31
Cochran & Celli	28.44
Columbia Wood and Metal Preservative Co.	86.16
Coos Bay Lumber Company	20.20
Henry Cowell Lime and Cement Co.	85.34
Down Town Battery & Electric Co., Inc.	2.00
Du Frane Machine & Engine Works, Inc.	6.50
East Bay Blue Print and Supply Co.	11.03
East Bay Glass Company	16.83
East Bay Municipal Utility District	75.00
Eastman Kodak Stores, Inc.	2.18
Fishstrom Staple Company	9.09
H. B. Folsom	73.11
W. P. Fuller & Co.	8.72
Golden Gate Sheet Metal Works	146.26
Greenwood Printers Ltd.	34.25
Grinnell Company of the Pacific	1.27
H. & M. C. Co.	3.61
Hogan Lumber Company	1.95
The Hancock Oil Co. of Calif.	235.57
E. H. Huebbe	38.89
Robert W. Hunt Company	47.75
Kling-Dawers Stationery Co., Inc.	6.86
Geo. A. Kreplin Co.	.73
Lamberson & Whyatt Welding Works	5.00
Lewis Soap & Chemical Co.	4.08
Lumber Terminal Company	16.00
Maxwell Wholesale Hardware Company	27.88
Melrose Lumber & Supply Co.	45.29
National Lead Company	223.13
Oakland Association of Insurance Agents	3,685.98
Oakland Plumbing Supply Co.	4.73
Pacific Electric Motor Co.	20.58
Pacific Manifoldng Book Co., Inc.	715.03
Pacific Steel Sales Co., Ltd.	3.92
The Pacific Telephone and Telegraph Company	31.38
Pacific Tool and Supply Company	6.00
Peterson Tractor & Equipment Co.	4.94
Phoenix Iron Works	20.08
Joseph Pierotti & Co.	2.51
San Francisco Examiner	4.50
Schirmmacher Co.	2.25
H. G. Scovern & Co.	2.52
Shell Oil Company	58.11
B. Simon Hardware Co.	36.70
Smart & Mitchell	35.43
Smith Brothers	25.50
Standard Oil Company of California	10.35
State Electric Supply, Ltd.	15.30
Thomas Bros.	123.60
Tide Water Associated Oil Company	44.93
The Tribune Publishing Co.	13.75
Underwood Elliott Fisher Company	11.50
Union Paper Company	36.38
Victor Equipment Company	1.03
Wholesalers Credit Association	12.67
E. K. Wood Lumber Co.	418.25
Zellerbach Paper Company	17.44
L. M. Clough Company	5,700.90
Powell Bros., Inc.	467.56
The Tribune Press	175.00
Port Revolving Fund - Misc.	46.25
1925 OAKLAND HARBOR IMPROVEMENT BOND FUND:	
Calaveras Cement Company	446.75
Healy-Tibbitts Construction Co.	28,152.35
	<u>\$42,141.25"</u>

"RESOLUTION NO. 4834

RESOLUTION APPROVING WEEKLY PAYROLL,  
RATIFYING ALL HIRINGS AND EMPLOYMENTS  
THEREIN AND REIMBURSING PORT REVOLVING  
FUND.

BE IT RESOLVED that the weekly payrolls for the weeks ending September 20 and September 27, 1938, be and the same are hereby approved and the hiring or employment of each and all of the services therein set forth at the compensations therein paid is hereby ratified, confirmed and approved, and

BE IT FURTHER RESOLVED that the demand against the Harbor Maintenance and Improvement Fund for the reimbursement of the Port Revolving Fund in the amount set forth therein, having been approved by the Auditing Committee, is hereby approved and allowed, and the City Auditor be and he is hereby authorized and directed to draw his warrant for the same and make such reimbursement.

HARBOR MAINTENANCE AND IMPROVEMENT FUND:

Port Revolving FUND: - Payrolls

\$5,198.50."

"RESOLUTION NO. 4835

RESOLUTION AWARDED CONTRACT  
FOR INSTALLATION OF ELECTRIC  
POWER FACILITIES AT SEVENTH  
STREET UNIT, OUTER HARBOR  
TERMINAL, OAKLAND.

BE IT RESOLVED that the contract for the installation of electric power facilities at Seventh Street Unit, Outer Harbor Terminal, Oakland, be and the same is hereby awarded to A. R. Matson, doing business as Matson Electrical Equipment Co., as the lowest responsible bidder, in accordance with the terms of his bid, filed September 26, 1938.

BE IT FURTHER RESOLVED that a bond for the faithful performance of the work in the full amount of the contract price shall be required, and that the procedure prescribed by law shall be taken for the execution of such contract.

BE IT FURTHER RESOLVED that the other bids received for said contract be and they are hereby rejected and the checks accompanying same shall be returned to the proper persons."

"RESOLUTION NO. 4836

RESOLUTION APPROVING BOND OF  
A. R. MATSON, DOING BUSINESS AS  
MATSON ELECTRICAL EQUIPMENT CO.

BE IT RESOLVED that the bond of A. R. Matson, doing business as Matson Electrical Equipment Co., executed by American Surety Company of New York, in the amount of \$4,121.00 for the faithful performance of his contract with the City of Oakland for the installation of electric power facilities at Seventh Street Unit, Outer Harbor Terminal, Oakland, be and the same is hereby approved."

"RESOLUTION NO. 4837

RESOLUTION ACCEPTING CONTRACT  
WITH L. M. CLOUGH CO., a copart-  
nership.

BE IT RESOLVED that the contract with L. M. Clough Co., a co-partnership, for the furnishing and delivering of material for construction of oil macadam pavement to Ninth Avenue Terminal, Oakland, having been satisfactorily completed, be and the same is hereby accepted."

10110

"RESOLUTION NO. 4838

RESOLUTION ACCEPTING CONTRACT  
WITH E. K. WOOD LUMBER CO., a  
corporation.

BE IT RESOLVED that the contract with E. K. Wood Lumber Co., a corporation, for the furnishing and delivering of approximately 180,000 board feet of green timber to foot of Frederick Street extended, Oakland, having been satisfactorily completed, be and the same is hereby accepted."

"RESOLUTION NO. 4839

RESOLUTION EXTENDING LEAVE  
OF ABSENCE HERETOFORE GRANTED  
DARIUS SHIPLER.

BE IT RESOLVED that the leave of absence heretofore granted Darius Shipler, Port Maintenance Laborer and Watchman, (Port Ordinance No. 222, Section 8.22) by Resolution No. 4730 of this Board, be and the same is hereby extended for a further period of 60 consecutive days commencing October 12, 1938, without pay, on account of the continued illness of said employe."

"RESOLUTION NO. 4840

RESOLUTION AUTHORIZING AGREEMENT  
WITH MARINE TERMINALS CORPORATION.

BE IT RESOLVED that the Port Manager be and he is hereby authorized to enter into an agreement with Marine Terminals Corporation, a corporation, as Licensee, providing for the occupancy by Licensee of an area of approximately 1312 square feet immediately adjacent to and northward of the quay wall shed at the foot of Market Street for a period of one year commencing May 1, 1938 at a maximum monthly rental of \$15.00, and that such agreement shall be upon the general form of license agreement customarily used by this Board."

"RESOLUTION NO. 4841

RESOLUTION AUTHORIZING AGREEMENT  
WITH SAN FRANCISCO STEVEDORING CO.

BE IT RESOLVED that the Port Manager be and he is hereby authorized to enter into an agreement with San Francisco Stevedoring Co., a corporation, as Licensee, providing for the occupancy by Licensee of an area of 3648 square feet adjacent to the northerly side of the quay wall shed at the foot of Market Street for a period of one year commencing August 15, 1938 at a monthly rental of \$36.48, and that such agreement shall be upon the general form of license agreement customarily used by this Board."

"RESOLUTION NO. 4842

RESOLUTION AUTHORIZING SUBSTITUTION  
OF BOND SECURING PERFORMANCE OF 1929  
LEASE OF ROSENBERG BROS. & CO.

BE IT RESOLVED that the application of Bank of America National Trust & Savings Association, at the request of Rosenberg Bros. & Co., to substitute eight \$1000.00 4% First and Refunding Mortgage Bonds, Series G, of Pacific Gas & Electric Company, with December 1, 1938 and all subsequent coupons attached, in the place and stead of eight \$1000.00 3-3/4% Debenture Bonds of Southern California Edison Company, as security for the provisions of that certain lease between this Board and Rosenberg Bros. & Co., dated February 28, 1929, be and the same is hereby granted."

"RESOLUTION NO. 4843

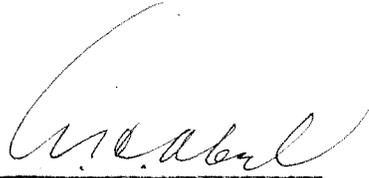
RESOLUTION AUTHORIZING CONSTRUCTION  
OF DRUM CLEANING BUILDING BY THE TEXAS  
COMPANY.

BE IT RESOLVED that the application of The Texas Company for permission to construct a steel frame corrugated iron drum cleaning building on premises it occupies as Licensee of the Port at 19th Avenue and Dennison Street at an estimated cost of \$6476, at its own cost and expense, be and the same is hereby granted, and the plans and specifications therefore approved."

Port Ordinance No. \_\_\_\_\_, being "AN ORDINANCE ADDING SEC. 5.011 TO PORT ORDINANCE NO. 222", was introduced and passed to print by the following vote:

AYES: Commissioners Colbourn, Fisher, Pardee, Roland and  
President McElroy -5-  
NOES: None  
ABSENT: None

ADJOURNED.

  
SECRETARY

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

of the  
PORT OF OAKLAND

Held on Monday, October 10, 1938, at the hour of 3:15 o'clock p.m., in the office of the Board, Room 75, Grove Street Pier, due written notice of such meeting having been given members of the Board.

Commissioners present: Colbourn, Fisher, Pardee, Roland  
and President McElroy -5-

Commissioners absent: None

The Port Manager, Port Attorney and Assistant Chief Engineer were also present.

The minutes of the regular meeting of October 3, 1938, were read, approved and adopted.

Communication from J. A. Herlihy, Vice President, United Air Lines, advising they will not need new shop facilities for approximately two years and stating that the State sales and use taxes would be a deterrent to the location of their repair shops in California, was read and the Port Manager directed to advise Mr. Herlihy that careful study would be given to his suggestions and that the Board would be pleased to confer with United Air Lines officials on the matter on

OFFICE

their next trip to Oakland. Inasmuch as the United Air Lines' communication affected, in part, the Board's letter of September 27 to the Mayor and City Council, in respect to urgency of further developments at Oakland Municipal Airport, it was ordered that a copy of Mr. Herlihy's letter be forwarded for their information.

Communication from Board of Playground Directors, requesting renewal of license to use Port property on Eighth Street adjoining Lake Merritt Canal for use as baseball grounds for year commencing October 1, 1938, was read and resolution later passed continuing license to use the property until October 1, 1939.

Communication from John H. Tyson, President, Wholesale Lumber Distributors, Inc., requesting lease of about one acre of open space at Ninth Avenue Terminal for their operations as wholesale lumber distributors, was read and referred to the Port Manager to arrange for agreement in accordance with terms and conditions now in effect for existing lessees at the terminal.

Communication from J. P. Underhill, Traffic Manager, Western Division of R. G. LeTourneau, Inc., requesting the Port's cooperation in assisting them to obtain relief from advance in steamship rate on movement of their grading equipment shipments from Peoria, Illinois to Oakland, was read. It was explained by the Traffic Manager that the tonnage involved amounted to about six hundred tons per year and that every assistance was being given Mr. Underhill to enable him to present his case before the steamship conference. Discussion developed that it would be difficult for the Board to make formal protest to the steamship conference in the matter, inasmuch as it was not in position to determine steamship transportation costs which are basis of rate-making. The Port Manager and Traffic Manager were requested to continue to assist Mr. Underhill in his endeavor to retain existing rates, which would insure the tonnage being moved by water.

Communication from T. G. Stahlberg, Secretary, Civil Service Board, advising title of Automobile Repair Mechanic is acceptable to Civil Service Board and that the position will be so classified as soon as created by the Board of Port Commissioners, was read and an ordinance later passed creating the position of Automobile Repair Mechanic.

Communication from the Port Manager, relative to charge to be made United Air Lines for operation of sight-seeing trips over the bay area, which they propose to carry on prior to and during the Golden Gate

Exposition, was read and the Board directed that recommendations be presented as to rates applicable for the service to be established.

Communication from the Port Manager, recommending membership be taken in the National Industrial Traffic League with headquarters in Washington, D. C., in order to receive prompt and authoritative information on matters pertaining to legislation affecting the Port, was read and resolution later passed authorizing membership be taken for one year, following which determination would be made as to continuance of membership.

Certified copy of Council Ordinance 915 C.M.S., annexing triangular area to Port area, was filed.

The Port Manager reported as follows on the status of certain funds as of October 7, 1938:

<u>Harbor Maintenance and Improvement Fund (No. 226)</u>	
Unencumbered Cash Balance as of Oct. 7, 1938 .....	\$37,907.52
Set up in Special Funds 220 and 222 .....	75,000.00
Total Unencumbered Cash in all revenue funds	
as of Oct. 7, 1938 .....	112,907.52
Total Unencumbered Cash in all revenue funds	
as of Sept. 30, 1938..	99,342.19

<u>1925 Oakland Harbor Improvement Fund (No. 567)</u>	
Cash Balance as of Sept. 30, 1938 .....	175,125.00

The report of the Port Manager on Harbor Maintenance and Improvement Fund No. 226 at the close of September 1938, as compared with August 1938 and September 1937, was filed.

The report of the Port Manager on accounts receivable for September and August of 1938, was filed.

The progress report for the month of September 1938, submitted by the Port Manager, was filed.

Commissioners Roland and Fisher reported that Mr. Ira Abraham, Attorney for American Dredging Company, had talked to them individually during the week regarding the relations of the Port and the company and had complained of the pendency of the condemnation appeal, urging that the Board should accept a quitclaim deed to the right-of-way in issue, dismiss the pending appeal, and allow the situation to be disposed of by the trial court, in order that the parties might arrive at a mutual agreement relative to the proposed future leasing of the premises.

It was reported that Mr. Abraham had spoken of the Port being liable to the company for severance damages in having built the Ninth Avenue trailroad track system through the center of the company's leased premises, thereby destroying its value, again mentioning the company's

right to require payment of an attorney's fee by the Port and its right to reimbursement for the fill it had made and insisting that the company's 1911 lease was still in effect.

The Port Attorney advised the Board that the issue of severance damages was entirely unfounded and had no basis whatsoever; that this issue was heard by the Court in 1930 at the trial of the leasehold quiet title proceedings, which was subsequently confirmed by the Supreme Court and that at such time Mr. Abraham and his client had submitted various suggested railroad layouts for the track system and testimony of engineers, had claimed damages of some \$185,000 through real estate witnesses; that the evidence was fully considered by Judge Murphey and a decision rendered by the Court, holding that the Port had a right to maintain the track connection in the location now built upon; that such location was a fair and reasonable location and that no severance damages were required to be paid to the company and that such issue was not now before the Board.

The Port Attorney also advised that inasmuch as the City and Port were pressing the condemnation appeal to final judgment, there could be no issue whatsoever as to payment of any attorney's fee in any amount, regardless as to whether the City prevailed in the appeal or not; that attorney fees were payable under the statutes only in cases of a voluntary abandonment by a City of a condemnation case and not otherwise; and that the proposal of Mr. Abraham that the appeal be dismissed would itself open up an issue as to payment of the claimed fee.

The Port Attorney also stated that, in his opinion, the 1911 lease formerly held by the Company had been fully terminated as of July 1, 1936 and that the decision of the Supreme Court in the Brooklyn Basin lease cases fully confirmed this point and that further, it was believed that this issue would again be disposed of in the condemnation case; that it apparently was because of such fact that the company and its attorney, Mr. Abraham, were seeking so desperately to avoid filing a reply brief, permitting the higher Court to render a judgment.

After a general discussion of the matter by the Board, Mr. Abraham, accompanied by his associate, Mr. Burnhill, appeared before it and reiterated the points referred to, as reported by Commissioners Roland and Fisher. Mr. Abraham urged that the condemnation appeal be dismissed and that the Board confer with him regarding the terms of a new lease. He insisted the former lease had not been terminated and urged that the lessee possessed various

equities arising from the fill and improvements it had made and that in surrendering to the Port the rear (now vacant) portion of the leasehold, the Board should compensate the company in arriving at the terms of a new lease for the portion to be retained. Much discussion ensued. From the Board's minutes of its meeting of November 1, 1937, it was recalled that at the conference between the Board and the lessee on that date, figures had been submitted showing that the fair estimated rental of the portion proposed to be leased was approximately \$5900 per annum. Mr. Abraham had, at that conference, countered with an offer of \$1.50 per front foot of berthing space per annum, or a total of \$1050 and in reply to a question as to his reaction to a rental of \$4000 had replied that he considered it entirely too high.

It was pointed out that as no further progress had been made in negotiating a new lease, the Board had determined to go ahead with the condemnation appeal and had accordingly instructed the Port Attorney to proceed.

Mr. Abraham finally offered to waive all claim for severance damages and attorney's fee, and for reimbursement for the fill, and offered to give a quitclaim deed to the track right-of-way and allow the Board to withdraw its \$10,000 on deposit with the Court, provided the litigation be dismissed and offered to pay \$2,000 annual rent for a new 15-year lease and to surrender all other claims connected with the former 1911 lease. He said he assumed he possessed certain rights the Port had not acquired which he would yield up. He was advised that the proposed rental was not sufficient and was urged to reconsider the situation and meet with the Board again. In the meanwhile, it was agreed that he should have until November 7 to file a reply brief in the condemnation appeal.

Favorable comments were made in respect to the Port of Oakland Luncheon celebration, held at Outer Harbor Terminal on October 6, at which Julean Arnold, U. S. Commercial Attache at Shanghai, was the principal speaker and Joseph R. Sheehan, President, Dollar Steamship Lines, was guest. It was noted that excellent publicity, both by the press and radio, had been obtained. The Port Manager stated that on behalf of the Board he had sent a letter of appreciation to the Junior Chamber of Commerce for their

cooperation in sponsoring the celebration.

The Port Attorney reported that he, together with Mr. Bert Fernhoff, City Attorney, had attended a conference of officials of various cities, held in Los Angeles on Thursday, October 6, relative to Federal taxation issues and that it was agreed at this conference to raise a fund of several thousand dollars for defense purposes and that the various cities were contributing to this fund proportionate to their population; further, that plans were formulated to arouse interest in the taxation matter in the various communities of the State and to have representatives appear before Congress at its forthcoming session when the Federal taxation issue is debated.

In respect to the question of jurisdiction of the Maritime Commission over public terminals, the Port Attorney stated that this issue would be argued before the Commission in Washington on October 17. He further stated that counsel for the New York Port Authority is gravely doubtful whether such jurisdiction can be successfully resisted; that port authorities in convention of American Association of Port Authorities were divided in their opinions and took no action; and that the Maritime Commission proposed legislation before Congress to extend its regulatory authority over shipside terminals and wharves.

In respect to the proposed 100-foot roadway at the Oakland Municipal Airport, it was reported that William Steinberg, Attorney for the Stone interests, advised that Mr. Beedy, Attorney for the Estate of Fontana and mortgagee of the Stone lands, was agreeable to donation of easement for proposed airport road north of tracks. The Port Manager stated that he had written Mr. Steinberg that the Board was agreeable to accept the 100-foot right-of-way, which the Central Land & Improvement Company had offered, under the conditions set forth in his communication of September 12. Map showing the proposed alignment of the new road and its intersection with Hegenberger Road and Davis Street was studied and it was the consensus of the Board that efforts be made to obtain property from the Matoza interests, which would widen Davis Street to a width of 100 feet at the intersection.

Copy of the Pacific Gas and Electric Company's publication, the October issue of "Progress," in which a comparison of the Oakland and San Francisco Airports was given and which showed Oakland Airport in a favorable light, was filed. It was noted that this publication has a circulation of six hundred thousand copies monthly, circulating to all its customers in California and to its stockholders in all parts of the nation.

The Port Manager reported that during September, due to unfavorable weather conditions, fifty-nine departing and fifty-two arriving air transport planes did not use San Francisco Airport and were handled at Oakland Municipal Airport, with transfer to and from San Francisco by bus.

It was noted from the press that the City of Alameda had purchased twenty-four acres of land on San Leandro Bay adjoining Oakland Municipal Airport from the Central Land & Improvement Company for \$3600 and that this purchase was in keeping with the plan for the proposed development of a highway to Oakland Municipal Airport from Alameda along San Leandro Bay.

The Port Manager reported that Donald L. Brown, President, E. E. Wilson, Vice-President, and other officials of the Pratt-Whitney Corporation, a subsidiary of the United Aircraft and Transportation Corporation, builders of Wasp and Hornet airplane engines, visited Oakland Airport and that on leaving, they complimented the Airport and its facilities.

The Board's attention was called to the favorable publicity given to Outer Harbor Terminal in the development section of the Tribune on October 9.

The Port Manager reported that conferences were being held with Mr. Sidney Hauptman, Receiver for the Nelson Steamship Company, with the objective that the Sunset Lumber Company's leasehold be returned to the Port, inasmuch as the plant, having been destroyed by fire and thereby being made inoperative, was not producing any revenue.

The Port Manager stated that the "Port San Francisco," located on the peninsula nineteen miles south of the ferry building, proposed asking the U. S. Engineers to improve its harbor and that the hearing will be held on November 2, 1938.

The report of the Auditing Committee on claims and demands was adopted.

The following resolutions were introduced and passed by the following vote:

- AYES: Commissioners Colbourn, Fisher, Pardee, Roland and President McElroy -5-
- NOES: None
- ABSENT: None

## "RESOLUTION NO. 4844

RESOLUTION APPROVING AND ALLOWING  
CERTAIN CLAIMS AND DEMANDS.

RESOLVED: That the following claims and demands, having been approved by the Auditing Committee, be and the same are hereby approved and allowed by the Board of Port Commissioners and the Auditor is authorized to draw his warrant for the same out of the proper Fund:

## HARBOR MAINTENANCE AND IMPROVEMENT FUND:

Pay Rolls - Administrative Department	\$2,121.25
" " - Airport	860.00
" " - Engineering Department	2,258.99
" " - Grove and Market Street Piers	1,564.41
" " - Maintenance Department	3,381.60
" " - Ninth Avenue	666.81
" " - Outer Harbor Terminal	5,463.09
" " - Traffic Department	1,392.50
American District Telegraph Company	.50
City of Oakland, City Hall	448.67
East Bay Municipal Utility District	580.56
The Hancock Oil Co. of Calif.	110.41
H. G. Adam	7.60
Geo. A. Attwood	21.77
Geo. H. Nash	55.50
Thomas H. Moore	30.87
Harold Wiltermood	39.26
American Brass & Copper Co.	6.50
Blake, Moffitt & Towne	13.93
Geo. R. Borrmann Steel Company	20.04
The Buckeye Ribbon & Carbon Co.	100.94
J. Catucci	26.66
City of Oakland, Employees Compensation	4,466.37
City of Oakland, Purchasing Department	.80
Chanslor & Lyon Stores, Inc.	22.51
Clow Gasteam Heating Company	4.04
Cochran & Celli	2.47
Contra Costa Laundry	1.79
Henry Cowell Lime and Cement Co.	58.22
Dieterich-Post Company	6.61
East Bay Glass Company	.85
East Bay Municipal Utility District	144.02
The Electric Corporation	38.01
Electrical Products Corporation	309.00
Gilson Electrical Supply Co.	14.39
Industrial Brownhoist Corporation	2.50
E. & R. James	6.40
The Kinnear Manufacturing Co. of California	186.00
A. W. Kitchen & Co.	50.00
Kling-Dawers Stationery Co., Inc.	2.02
Laird's Stationery	4.24
Maxwell Wholesale Hardware Company	84.92
Melrose Lumber & Supply Co.	191.50
National Lead Company	100.62
Oakland Plumbing Supply Co.	27.46
Pacific Marine Review	20.00
Pacific Steel Sales Co., Ltd.	39.10
Pacific Tool and Supply Company	4.58
The Paraffine Companies, Inc.	177.02
Peterson Tractor & Equipment Co.	.49
Joseph Pierotti & Co.	7.15
Pioneer Sawdust and Sand Depot	14.38
Postmaster, Oakland	94.68
Ransome Company	152.63
Remington Rand, Inc.	1.85
Richfield Oil Corporation	34.04
Sentinel Sanitary Supply Company	35.08
Shand and Jurs Co.	21.08

The Sherwin-Williams Co.	\$ 14.58
Shipping Register and World Ports	186.20
B. Simon Hardware Co.	4.08
Smith Brothers	3.03
Southern Pacific Company	13.00
Sterling Press	9.60
Tide Water Associated Oil Company	12.32
The Traffic Service Corporation	10.00
Transit Concrete	106.11
Underwood Elliott Fisher Company	24.25
Union Oil Company of California	1.03
Union Paper Company	22.72
Victor Equipment Company	5.77
E. K. Wood Lumber Co.	3.54
Zellerbach Paper Company	12.72
M. D. McCarl	60.70
A. C. Meadows	24.24
J. S. Saunders	37.11
Powell Bros., Inc.	544.16
W. P. Koetitz	400.00
1925 OAKLAND HARBOR IMPROVEMENT BOND FUND:	
Calaveras Cement Company	446.75
L. M. Clough Company	8,137.50
	<u>\$35,578.09"</u>

"RESOLUTION NO. 4845

RESOLUTION EXTENDING THE  
REVOCABLE LICENSE GRANTED  
TO THE BOARD OF PLAYGROUND  
DIRECTORS BY RESOLUTION NO. 2373.

BE IT RESOLVED that the revocable license heretofore granted to the Board of Playground Directors of the City of Oakland, pursuant to the provisions of Resolution No. 2373, for the use of tideland property adjacent to Eighth Street and the Lake Merritt Canal for playground purposes, is, at the request of said Board, hereby extended for a period of one year commencing October 1, 1938, subject to all the terms and conditions set forth in said Resolution No. 2373, and subject to the acceptance of such license by resolution of the said Board."

"RESOLUTION NO. 4846

RESOLUTION APPROVING APPOINTMENT  
OF ERNEST E. WILLIAMS TO TEMPORARY  
POSITION OF JANITOR.

BE IT RESOLVED that the appointment of Ernest E. Williams to the temporary position of Janitor as created by Resolution No. 4723, at \$100 per month, effective October 7, 1938, be and the same is hereby ratified, confirmed and approved."

"RESOLUTION NO. 4847

RESOLUTION DETERMINING THAT LEASE  
OF CERTAIN PREMISES ON FIRST STREET  
SHOULD BE MADE FOR A TERM OF FIVE  
YEARS, APPROVING FORM OF LEASE AND  
NOTICE INVITING BIDS, AND DIRECTING  
ADVERTISEMENT OF NOTICE.

Whereas, this Board finds and determines that it would be to the best interest of the Port that it make a lease of certain premises in the City of Oakland on First Street between Clay and Washington Streets and now occupied by Strable Hardwood Company, for a term of five years to the highest responsible bidder, at the highest rent bid therefor, and upon the provisions and conditions specified by this Board; now, therefore, be it

RESOLVED that the form of such lease and notice inviting bids therefor which have been prepared by the Port Attorney under the direction of this Board and which have been filed with it, be

and the same are hereby approved; and be it further

RESOLVED that the Secretary be and he is hereby authorized to publish said notice in the official newspaper in the manner and for the time required by law to secure bids for such lease (each bid to be accompanied by a certified check in the amount of \$250.00) at public auction on Monday, October 17, 1938, between the hours of 3:15 and 4:15 p.m. of said day, and to furnish copies of such proposed lease to interested parties who may request the same; and be it further

RESOLVED that the Board reserves the right to reject any and all bids, and be it further

RESOLVED that if the present occupant of said premises does not bid or be not the successful bidder for such lease, the Port Attorney shall take such steps as may be necessary to cause said occupant to vacate said premises in time to permit their occupancy by the successful bidder at the time of the effective date of such lease."

"RESOLUTION NO. 4848

RESOLUTION DIRECTING FILING OF SUIT  
TO SECURE REMOVAL OF 'GOLDEN GATE.'

Whereas, the vessel designated as the 'Golden Gate,' a former ferryboat, having been dismantled by the owner or owners thereof and those having an interest therein, has for several months been permitted by them to lie upon the submerged lands in the Key Route Basin owned by the City of Oakland in a dilapidated and apparently abandoned condition and said vessel prevents the full use and enjoyment by the City of Oakland of the area upon which it rests and of adjacent areas, is a menace to navigation and a possible source of fire hazard and a private and public nuisance; and

Whereas, although repeatedly requested so to do, the owners and other parties interested in such vessel have failed to take steps to remove the same; now, therefore, be it

RESOLVED that the Port Attorney be and he is hereby directed to file proceedings for the abatement of such nuisance, and to take all necessary steps in such proceeding to secure the destruction or removal of such hulk, including the publishing of summons against those defendants in such suit upon whom personal service may not be maintained."

"RESOLUTION NO. 4849

RESOLUTION AUTHORIZING THE ACQUISITION  
OF MEMBERSHIP IN THE NATIONAL INDUSTRIAL  
TRAFFIC LEAGUE.

Whereas, The National Industrial Traffic League is a voluntary national organization of individuals, firms and corporations engaged in the shipment and receipt of commodities, and of commercial, trade and traffic associations dealing with traffic and transportation matters, for the purpose of representing its members in matters of mutual interest, the furnishing of information as to pending legislation by Congress and the various states, including court decisions, affecting the activities of the members and, generally, in assisting the members in the carrying on of their businesses; and

Whereas, upon the recommendation of the Port Manager, it appears that it is to the advantage of the Port of Oakland to secure a membership in such League and to participate in its benefits; now therefore be it

RESOLVED that the Port Manager be and he is hereby authorized and directed to apply for such membership and to contract to pay the dues thereof at an estimated annual charge of \$100.00."

Port Ordinance No. 289 being "AN ORDINANCE ADDING SEC. 5.011 TO PORT ORDINANCE NO. 222," having been duly introduced, read and published, was finally adopted by the following vote:

AYES: Commissioners Colbourn, Fisher, Pardee, Roland and President McElroy -5-

NOES: None

ABSENT: None

SECRETARY

ADJOURNED.

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

of the

PORT OF OAKLAND

Held on Monday, October 17, 1938, at the hour of 3:15 o'clock p.m., in the office of the Board, Room 75, Grove Street Pier, due written notice of such meeting having been given members of the Board.

Commissioners present: Colbourn, Fisher, Pardee, Roland and President McElroy -5-

Commissioners absent: None

The Port Manager, Port Attorney and Assistant Chief Engineer were also present.

The minutes of the regular meeting of October 10, 1938, were approved as read and adopted.

Communication from Sidney M. Hauptman, Trustee for The Charles Nelson Steamship Company holding Sunset Lumber Company lease, which company is now in bankruptcy, reviewing present involved status of affairs and proposing cancellation of the Sunset Lumber Company lease as a practical solution of the lease problem, was read and referred to Port Manager for report.

Copy of the Port Manager's letter addressed to the Mayor and City Council of Oakland, transmitting United Air Lines' letter of October 3, in respect to proposed shop facilities, was filed.

Communication from the Port Manager, reviewing progress made during the past fiscal year, was filed.

Communication from the Port Manager, recommending dry docking and repair of cable barge, for which low bid was submitted by Pacific Dry

Dock Co. in the amount of \$715.00, was read and resolution later passed authorizing the performance of this maintenance work.

The following communications on the Board's calendar were, due to lack of time, continued for consideration:

Port Manager, reporting on negotiations with General Engineering & Dry Dock Co.; E. K. Wood Lumber Co.; Thos. Crowley; and Union Diesel Engine Co., on payment of past due rentals and recommending acceptance of rentals agreed to by lessees.

Atlas Imperial Diesel Engine Co., submitting list of fire insurance policies in the amount of \$1,605,000 now in force on its leasehold and other properties which, in accordance with lease, covers Port's buildings appraised at \$138,628.00.

Port Manager, recommending that a suitable background painting be procured at a cost of \$150.00 to complete the revised model of Outer Harbor Terminal, which has just been completed by W.P.A.

Howard Terminal, requesting renewal of Quay Wall Lease for one year, commencing with termination of present lease, November 30, 1938.

Port Manager, recommending renewal of Quay Wall Lease for year commencing December 1, 1938, on same terms as present lease.

Captain Henry de F. Mel, acknowledging data relative to Middle Harbor proposed Naval Supply Depot and commenting on favorable impression gained from the Congressional Committee which recently visited the site.

The Port Manager reported as follows on the status of certain funds as of October 14, 1938:

<u>Harbor Maintenance and Improvement Fund (No. 226)</u>	
Unencumbered Cash Balance as of Oct. 14, 1938.....	\$40,340.42
Set up in Special Funds 220 and 222 .....	75,000.00
Total Unencumbered Cash in all revenue funds	
as of Oct. 14, 1938 .....	115,340.42
Total Unencumbered Cash in all revenue funds	
as of Sept. 30, 1938 .....	99,342.19
<u>1925 Oakland Harbor Improvement Fund (No. 567)</u>	
Cash Balance as of Sept. 30, 1938 .....	175,125.00

Mr. Ira Abraham, Attorney, Mr. Burnhill, Attorney, and Mr. Russell Harris, representing the American Dredging Company, met with the Board to further negotiations for a lease of waterfront property in the Brooklyn Basin. Mr. Abraham stated that since the last Board meeting, he had discussed the matter of area to be leased with the Port Manager, who had prepared a map showing the area on which they desired having a waterfrontage of 700 feet and extending easterly from their former leasehold a distance of about 425 feet, which re-location of this leasehold would free the frontage adjoining the Ninth Avenue Pier and make possible the extension of the pier a distance of about 440 feet, so as to serve the area westerly of the spur tracks serving Ninth Avenue Pier, which area they were agreeable to relinquish.

Mr. Abraham further stated that since his discussion with the Port Manager, with reference to the area desired to be leased, his clients had decided that an additional 100 feet of waterfrontage at the east end, including the back area, would more nearly meet their needs for storing dredge pipe, giving

them thereby 800 feet of waterfrontage.

President McElroy pointed out that waterfrontage was the most valuable part of the leasehold and that the inclusion of this additional waterfrontage in the proposed lease would require careful study before a decision could be made. Mr. Abraham stated that in order to make the area under consideration useful for their purposes, a certain amount of dredging, estimated at \$5,000 and the construction of a pipe loading wharf, to replace the pipe loading wharf now used, would be required. He stated that these costs, together with the cost of moving pipe and other materials from the area relinquished to the Port, should be borne by the Port. The cost of moving was estimated at \$1500 to \$2000. He stated also that the cost of moving buildings to accommodate the new highway would be for the account of the Port or State Highway. The question as to the type of lease and the moving of buildings to accommodate the East Shore Highway was discussed and a suggestion was made that a long term lease be taken on the area to be occupied after completion of the highway, and that a month to month lease be taken on the area which ultimately will be used for the highway, but now occupied by the American Dredging Company, until such time as required for that purpose and buildings located thereon are moved.

In response to a question as to the rental his client was prepared to pay, assuming other conditions were met, he stated that his client desired a 15-year lease, with an option to renew for an additional 10 years and was prepared to pay \$150 per month for the first 15 years and \$175 per month for the next ten years, provided the option to renew was exercised. If a lease with an option was not accepted, he requested consideration be given to a 25-year lease. In suggesting such terms, he reiterated his contention that his client would surrender valuable leasehold rights and other advantages, for which it was entitled to compensation, in adjusting the rental on a new lease.

Inasmuch as Mr. Abraham had added a number of requirements to his verbal proposal made at the Board's last meeting, the Board requested that he set forth in writing his entire proposal, including all conditions, for further consideration by the Board at its next meeting.

In respect to the Stockton rate case, the Port Attorney presented copy of the Port's final reply to the Maritime Commission where, in the conclusion, is suggested a plan of port classification that will materially assist in securing a favorable decision for Oakland's interest, which was

filed. Copies of communications from Mr. H. R. Higgins, Vice-President, Rosenberg Bros. & Co., and Mr. H. C. Cantelow, Manager, Pacific Coastwise Conference, and others, complimenting the Port Attorney on his reply brief, were filed.

The Port Attorney further stated that all parties filed exceptions to the Examiner's proposed report on October 3 and that various answers to opposing exceptions were filed over the week-end and oral argument requested.

The Port Attorney reported that the United States Supreme Court on October 10 denied a re-hearing in the New York Port Authority case and presented copy of report by the Port of Corpus Christi, Texas, on threatened taxation of bonds in relation to its activities. He further stated that in two recent decisions of October 1, the U. S. Board of Tax Appeals held that municipal assessment bonds are taxable despite the fact that they are issued by Governmental agents for public improvements.

The Port Attorney reported that the lease with the Atlas Imperial Diesel Engine Company was now ready for final execution and that copies were in the hands of the lessee.

The Port Manager stated that the California Auto Camp Owners Association, holding convention in Oakland were featuring harbor and airport trip on Wednesday, October 19, and that about 100 members will make the trip.

Dr. R. I. Newell, representing the Oakland Yacht Club, met with the Board and discussed the needs for expansion of the Yacht Harbor. He stated that all of the berths now available at the present Yacht Harbor were filled and that they were turning down requests for berths. He also stated that the cost of operation of the Yacht Harbor by the Oakland Yacht Club would not be materially increased if the much needed addition to the harbor could be provided, as there is sufficient personnel now available for handling the activities of the proposed addition and the only increase in cost would be for light and water. A plan for the enlargement of the Yacht Harbor was studied, which included the area extending from the present Yacht Harbor to the Atlas Imperial Diesel Engine Company's pier, which would provide about twenty-two additional berths for large yachts. Dr. Newell explained that in the present Yacht Harbor no large yachts could be properly moored, due to limited space. After a further discussion, the Board directed the Port Manager to investigate the possibility of enlarging the Yacht Harbor under a Works Progress Administration project and requested that a report

be given on the cost to the Port of the enlargement.

In respect to the matter of the ferryboat "Golden Gate," the Port Manager reported that although Lim Sing and his attorney, Fred McDonald, had assured him that money was available and the contractor would proceed immediately with the removal of the boat, he had been advised by Geo. Renner, the contractor, that he was withdrawing his offer to remove the boat, inasmuch as he had received no assurance whatsoever that funds would be provided for the payment of his work, if undertaken.

The Port Attorney also reported that he had received no definite assurance from the attorney representing Lim Sing as to proceeding with the removal of the ferryboat and the Board directed that immediate steps be taken in the filing of suit to secure the removal of the ferryboat "Golden Gate", in accordance with its resolution No. 4848, passed at the meeting of October 10, 1938.

The reports of the Auditing Committee on claims and demands, and on weekly payrolls, were adopted.

The following resolution was introduced and passed by the following vote:

- AYES: Commissioners Colbourn, Fisher, Pardee and President McElroy -4-
- NOES: NONE
- ABSENT: NONE
- NOT VOTING: Commissioner Roland -1-

"RESOLUTION NO. 4850

RESOLUTION APPROVING AND ALLOWING CERTAIN CLAIMS AND DEMANDS.

RESOLVED: That the following claims and demands, having been approved by the Auditing Committee, be and the same are hereby approved and allowed by the Board of Port Commissioners and the Auditor is authorized to draw his warrant for the same out of the proper Fund:

HARBOR MAINTENANCE AND IMPROVEMENT FUND:	
American Auto Metal Works	\$ 2.50
American Brass & Copper Co.	1.73
Aristo Engraving Company	42.84
Bay City Sanitary Rag Co.	6.06
Geo. R. Borrmann Steel Company	17.96
California Concrete Products Co.	52.92
California Rustproofing Company	1.00
City of Oakland, Garage Department	5.98
Chanslor & Lyon Stores, Inc.	3.43
L. M. Clough Co.	150.00
Cochran & Celli	43.85
M. L. Cohen Co.	8.25
Columbia Wood and Metal Preservative Co.	325.01

Commonwealth Club of California	\$ 3.00
Henry Cowell Lime and Cement Co.	20.19
Dieterich-Post Company	29.51
Dock Checkers Employers Association	125.12
East Bay Blue Print & Supply Co.	102.24
Eastman Kodak Stores, Inc.	2.19
The Electric Corporation	11.83
Firestone Auto Supply & Service Stores	49.00
W. P. Fuller & Co.	96.98
General Electric Supply Corporation	33.17
Golden Gate Sheet Metal Works	9.58
Goodhue Printing Company	13.91
Greenwood Printers Ltd.	34.25
Grinnell Company of the Pacific	29.55
H. & M. C. Co.	57.94
The Hancock Oil Co. of Calif.	181.78
Heafey-Moore Co.	623.78
Hersey Inspection Bureau	9.90
Hogan Lumber Company	48.13
Homelite Corporation	9.54
Lee J. Immel	544.70
Industrial Home for the Adult Blind	13.60
International Business Machines Corporation	21.72
Kellogg Express & Draying Co.	.50
Geo. A. Kreplin Co.	8.26
Laher Spring and Tire Service	2.67
Laird's Stationery	21.81
Harry B. Liggett Co.	1.67
C. W. Marwedel	4.60
Maxwell Wholesale Hardware Company	150.78
Melrose Lumber & Supply Co.	21.31
Albert C. Moe	335.56
National Lead Company	22.01
A. Newman	45.32
The Oakland Planing Mill, Inc.	32.96
Oakland Plumbing Supply Co.	19.25
Oakland Rubber Stamp Co.	8.43
Pacific Shipper	68.00
Pacific Tool and Supply Company	13.06
The Paraffine Companies, Inc.	187.22
Patterson Equipment Co.	2.52
Ira G. Perin	31.30
Peterson Tractor & Equipment Co.	10.30
Phoenix Iron Works	89.61
Planett Manufacturing Company	40.99
Postal Telegraph-Cable Company	.94
Printing Plates Incorporated	24.80
Richfield Oil Corporation	23.68
Royal Typewriter Company, Inc.	1.50
San Francisco Bay Carloading Conference	5.00
Sentinel Sanitary Supply Company	14.02
Signode Steel Strapping Co.	158.62
Smith Brothers	155.62
Smith Lumber Company	156.97
Southern Pacific Company	2.20
Standard Photoprint Company	4.33
Clyde Sunderland	3.09
Superior Rock Co.	58.33
Tide Water Associated Oil Company	12.31
West Coast Welding & Brazing Co.	2.00
The Western Union Telegraph Company	6.65
E. K. Wood Lumber Co.	68.26
Zellerbach Paper Company	17.77
State of California, District Court of Appeal	.65
Sam Bates Company	192.75
Powell Bros. Inc.	790.61
Port Revolving Fund - Misc.	545.28
Lee J. Immel	1,035.99
1925 OAKLAND HARBOR IMPROVEMENT BOND FUND:	
Calaveras Cement Company	446.75
Heafey-Moore Company	3,155.26
	\$10,733.65"

The following resolutions were introduced and passed by the following vote:

AYES: Commissioners Colbourn, Fisher, Pardee, Roland and  
President McElroy -5-

NOES: None

ABSENT: None

"RESOLUTION NO. 4851

RESOLUTION APPROVING WEEKLY PAYROLLS,  
RATIFYING ALL HIRINGS AND EMPLOYMENTS  
THEREIN AND REIMBURSING PORT REVOLVING  
FUND.

BE IT RESOLVED that the weekly payrolls for the weeks ending October 4 and October 11, 1938, be and the same are hereby approved and the hiring or employment of each and all of the services therein set forth at the compensations therein paid is hereby ratified, confirmed and approved, and

BE IT FURTHER RESOLVED that the demand against the Harbor Maintenance and Improvement Fund for the reimbursement of the Port Revolving Fund in the amount set forth therein, having been approved by the Auditing Committee, is hereby approved and allowed, and the City Auditor be and he is hereby authorized and directed to draw his warrant for the same and make such reimbursement.

HARBOR MAINTENANCE AND IMPROVEMENT FUND:

Port Revolving Fund - Payrolls \$5,559.59."

"RESOLUTION NO. 4852

RESOLUTION AUTHORIZING DRY-  
DOCKING OF CABLE BARGE.

BE IT RESOLVED that the Port Manager is hereby authorized to arrange for the drydocking of the cable barge, at an estimated cost of \$800."

"RESOLUTION NO. 4853

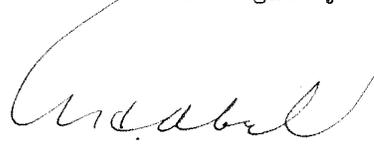
RESOLUTION AUTHORIZING FILING  
OF ACTION AGAINST HAROLD R. FISH.

BE IT RESOLVED that the Port Attorney be and he is hereby authorized to take such preliminary steps as may be requisite and to file an action or actions against Harold R. Fish for his eviction from Port properties now occupied by him and to recover such sums as may be due from him for the use and occupation of such properties, and to do all things necessary to finally effect such ends."

The hour of 4:15 o'clock p.m. having arrived, and due notice having been given, the President called for bids at public auction for the proposed lease of certain property owned by the Port, located on First Street between Clay and Washington Streets. Only one bid therefor

was received, being the written bid of Strable Hardwood Company, a corporation, offering to pay a rental of \$24,000.00 for the entire five year term and to comply with all the terms and conditions of the proposed lease. Said bid was duly accompanied by a cashier's check in the sum of \$250.00 and a written statement setting forth required information as to the responsibility of the bidder to comply with the proposed lease. The bid was thereupon publicly read. Upon the President calling for other bids, and there being none, either oral or written, and no other interested parties or prospective bidders being present, the bid was referred to the Port Manager for recommendation and to the Port Attorney as to form and legality.

ADJOURNED.

  
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S E C R E T A R Y



REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

of the

PORT OF OAKLAND

Held on Monday, October 24, 1938, at the hour of 3:15 o'clock p.m., in the office of the Board, Room 75, Grove Street Pier, due written notice of such meeting having been given members of the Board.

Commissioners present: Colbourn, Fisher, Pardee, Roland and  
President McElroy -5-

Commissioners absent: None

The Port Manager, Port Attorney and Assistant Chief Engineer were also present.

The minutes of the regular meeting of October 17, 1938 were approved, as read, and adopted.

Communication from Mr. Ira Abraham, Attorney representing American Dredging Company, submitting proposal for 25-year lease of Port property in Brooklyn Basin area, was read. A written opinion, submitted by the Port Attorney in respect to issues involved relative to the proposal for lease, was considered. Following discussion of the proposal, the Board, finding itself unable to entertain the terms as presented, rejected the offer and directed that Mr. Abraham be so advised in writing and that he be informed that the Board would entertain the inviting of bids for a lease on the property on terms and conditions in keeping with the basis on which other leases have been negotiated in the Brooklyn Basin area.

Communication from Atlas Imperial Diesel Engine Co., submitting list of fire insurance policies in the amount of \$1,605,000.00 now in force on its leasehold and other properties which, in accordance with the lease, covers Port's buildings appraised at \$138,628.00, was read. The Port Manager advised that the appraised value of the buildings, as stated, fully covered the Port's structures.

Communication from the Port Manager, recommending that a suitable background painting be procured at a cost of \$150.00 to complete the revised model of Outer Harbor Terminal, which has just been completed by W. P. A., was read and continued for consideration following an inspection of the model.

Communication from Howard Terminal, requesting renewal of Quay

Wall lease for one year, commencing with termination of present lease, November 30, 1938, was read. The Port Manager submitted a letter advising that the revenues received from the Quay Wall lease during the past year were satisfactory, being slightly in excess of those for the year previous and recommended that the present lease be extended for one year, commencing December 1, 1938. Following discussion, the Board directed that Howard Terminal be advised that their request would be granted.

Communication from Captain Henry de F. Mel, acknowledging data relative to Middle Harbor proposed Naval Supply Depot and commenting on favorable impression gained from the Congressional Committee, which recently visited the site, was filed.

Communication from Mr. Earle Wright, President International Air Race Association, submitting statement of Controller showing net loss of \$36,524.71, in which is included subscriptions of Underwriters in amount of \$20,384.98, was filed.

Communication from the Port Attorney, enclosing copies of letters from American Association of Port Authorities and one of the Port of New York Authority, relative to Federal jurisdiction over public port agencies, was filed.

Communication from Brotherhood of Teamsters, requesting that wage scale for Lumber Carrier Operator, as paid by the Port, be advanced to meet their published scale of \$7.50 per day, was read. The Port Manager advised that the rate requested is ninety cents more than that now being paid for Lumber Carrier Operators in the Port's service and that all lumber firms have been paying the higher scale for the past several months. He further stated that two positions and a relief operator would be affected by the increase, which would total about \$75.00 per month increase in the payroll. After discussion, it was ordered that an ordinance be prepared for the Board's consideration, advancing the rate of pay for Lumber Carrier Operator.

Public Notice of Intention to make a 5-year lease on property and buildings at First and Clay Streets to the highest bidder was filed and an ordinance was later introduced and passed to print, awarding lease to J. E. Higgins Lumber Co., which company submitted the only bid at the previous Board meeting.

Communication from the Port Manager, submitting data on the

cost of issuing the Port of Oakland Compass, was filed.

Communication from the Oakland Chamber of Commerce, enclosing public notice of Colonel J. A. Dorst, District Engineer, announcing hearing on November 2, 1938 of application for improvement of South San Francisco Harbor and advising that it will oppose the proposed project, provided San Francisco Chamber takes similar action, was read and the action of the Oakland Chamber in opposition to the proposed project was endorsed.

It was the consensus of the Board that in the event that the Chamber does not go on record in opposition to the proposed project, the Board should file with the U. S. District Engineer a statement protesting the creation of this additional port, which would tend to divert cargo from long established bay ports.

Communication from Harold R. Fish, Boat Builder, requesting that ejection proceedings be held in abeyance and that he be given additional time to make payment of past due rental on Port property adjoining the Atlas Imperial Diesel Engine Company leasehold, was read and following discussion, the Port Manager was directed to advise Mr. Fish that it would approve license agreement for occupancy of the property, provided he arranged for payment of his rental account as agreed.

The U. S. Engineers' Public Notice on closing of the Fruitvale Bridge to boat traffic during morning and evening rush hours of commuter traffic, when rail service across San Francisco-Oakland Bay Bridge is inaugurated, was read and the Port Manager directed to advise the U. S. Engineers that the Board would endorse the plan for closing the bridge for harbor traffic during hours as named, provided that any order issued would not preclude reconsideration of closing hours, should increased demands of shipping in the tidal canal easterly of the bridge necessitate a change.

Communication from Joseph R. Sheehan, President Dollar Steamship Lines, expressing thanks for photograph taken at Port of Oakland Day celebration and accepting Port Manager's invitation to visit entire harbor and airport and to meet with the Board at a future date, was filed.

The Port Manager's Certificate of Completion of contract with Ross Carrier Company for furnishing and delivering One Lumber Carrier was filed.

The Port Manager's Certificate of Completion of contract with L. M. Glough Company for furnishing and delivering 15,000 tons, more or less,

of crusher run rock for runway construction at Oakland Municipal Airport, was filed.

Copy of City Manager's report on affairs of the City for the month of September, 1938, was filed.

Communication from the Board of Playground Directors, acknowledging and accepting by their Resolution No. 8053 the license for use of area on 8th Street and Lake Merritt Canal for baseball grounds for the year 1939, was filed.

The Port Manager reported as follows on the status of certain funds as of October 21, 1938:

<u>Harbor Maintenance and Improvement Fund (No. 226)</u>	
Unencumbered Cash Balance as of Oct. 21, 1938.....	\$ 34,734.07
Set up in Special Funds 220 and 222.....	75,000.00
Total Unencumbered Cash in all revenue funds	
as of October 21, 1938.....	109,734.07
Total Unencumbered Cash in all revenue funds	
as of September 30, 1938....	99,342.19
<u>1925 Oakland Harbor Improvement Fund (No. 567)</u>	
Cash Balance as of September 30, 1938.....	175,125.00

Report of the Port Manager, on negotiations with the General Engineering & Dry Dock Co., E. K. Wood Lumber Co., Thos. Crowley, and Union Diesel Engine Co., relative to payment of past due rentals and recommending acceptance of rentals agreed to by lessees, was considered and recommendations therein contained were adopted. It was the consensus of the Board that the Union Diesel Engine Co., having conformed to the Board's resolution and remitted rental in accordance therewith, should pay the sum of \$216.67 in full settlement of past due rental account. In respect to the E. K. Wood Lumber Co., the Port Manager was directed to advise it that the Board considered that a payment in the amount of \$4,349.36 would be proper compensation for settlement of its past due rental account.

Report of the Port Manager, relative to the cost to the Port of the enlargement of Yacht Harbor, was continued for further consideration as to the extent of improvement which the Board could justify; however, in order to advance the matter, the Port Manager was directed to file application with the Works Progress Administration for a project for enlargement of the harbor, with the understanding that at this time no obligation be assumed as to the carrying out of the project.

Report of the Port Manager, in respect to request of Mr. Sidney M. Hauptman, Trustee, Charles Nelson Steamship Co., for cancellation of Sunset Lumber Company lease, was continued for consideration at the Board's next meeting.

Report of the Oakland Airport Transportation Service report of operations for September, 1938, showing profit of \$52.71, was filed.

Mr. S. V. Hall, Operating Manager Western Division, and Mr. C. C. Richerson, Division Superintendent, United Air Lines, met with the Board and requested its endorsement of their application to the Civil Aeronautics Authority for permission to operate their transport planes across San Francisco Bay at an elevation of 500 feet instead of 2000 feet, as required by the Authorities' new regulations. They stated that they have operated across the bay for many years on the 500-foot elevation without accident and although they approved the C. A. A. ruling, in general, they felt that in this particular instance a special ruling should be made, which would result in a large saving of expense in their operations. After further discussion, the Board advised the U. A. L. representatives that it would be pleased to favor them with a letter endorsing their application.

Memorandum of conference held with representatives of the State Highway Department, relative to details of design of the East Shore Highway through the Brooklyn Basin area, was filed.

Memorandum of conference held with Southern Pacific Company and City officials, relative to the dedication of Maritime Street between 7th and 22nd Streets, was filed.

The Port Attorney reported that the Southern Pacific Company had filed answer in Clinton Mill & Lumber Company litigation, setting up claim of fee title to right-of-way of their 7th Street electric line.

It was reported that the Atlas Imperial Diesel Engine Co. had fully executed the 15-year lease for the Port property occupied by it in the Brooklyn Basin area.

The Port Attorney reported that the proposed lease with the California Foundries, Inc. had been approved as to form by Judge Donahue.

The Port Attorney advised that City Attorney Fernhoff reported to him that contributions had been received by the Municipal Defense Committee against Federal taxation of public bonds and revenues and retroactive taxation of employes in the following amounts: Los Angeles \$1000.00, San Francisco \$900.00, Oakland \$300.00, Stockton \$200.00, Palo Alto \$100.00, and that other contributions were expected.

The Port Manager stated that Mr. W. L. Gleeson had requested permission to moor the old ferryboat "Encinal" at the foot of Broadway

11

for purpose of operating a restaurant and dance hall. The Board directed that Mr. Gleeson be informed that it would not grant his request.

Colonel Delano and Captain Keating of the California National Guard met with the Board and further discussed the possibility of obtaining a site for the construction of an equipment storage building on Port property at Third Avenue and East Eighth Street. Colonel Delano stated that the State could not construct a building on leased land and requested that consideration be given to relinquishing to the City Council the area in question, so that the City would be in position to turn over the property to the State for National Guard purposes. It was brought out that this procedure would require legislative action at the next session of the State Legislature. The Board informed Colonel Delano and Captain Keating that it realized the necessity of housing for the National Guard equipment and would be pleased to further consider the matter and after a conference with City officials, would advise them as to its decision in the matter.

The Port Manager reported that arrangements had been concluded for removal of a 26-foot launch derelict from the estuary at the foot of Frederick Street.

Communication from the Observer Publishing Co., requesting the Port to place advertisement in its annual county edition of October 29, was read and the Port Manager directed to advise the Observer that it would not avail itself of advertising space in this issue.

The Port Manager stated that arrangements had been made with the Navy for the berthing of the heavy cruisers, the LOUISVILLE and CHESTER at Grove Street Pier on November 10, 11 and 12, the occasion being the Armistice Day celebration.

It was noted from press reports that the warehouse strike, which had been in effect for the past several months, had been settled and that the warehouses in the bay area were again open for business.

The Board's attention was called to the arrival at Oakland Municipal Airport of the first full carload of airplanes to be unloaded at the airport and that these airplanes were consigned to Duck Air Services.

From press reports it was noted that the new airplane altimeter, operating on radio impulse principle, developed by United Air Lines engineers, was given successful test in the bay area and that the instrument functioned perfectly and will be of inestimable value to Blind flying.

The Port Manager stated that on October 22nd he had received a visit from Irving H. Taylor, Chief of Aeronautics Trade Division of Bureau of Foreign and Domestic Commerce, Washington, and that after visiting the Oakland Municipal Airport, Mr. Taylor highly praised the airport and its facilities.

Attention of the Board was called to the request of the Richmond and San Rafael Ferry Co. to the U. S. Engineers for an extension of its application to February 10, 1942 for the construction of a highway bridge from Point San Pablo in Contra Costa County to Marine County.

Favorable comments were made in respect to the address given by President Sheehan of the Dollar Lines at the luncheon of the Oakland Chamber of Commerce, held on October 21, in which address he stressed the matter of supporting the American steamship lines.

It was noted from press reports that the Board of Supervisors had endorsed Captain Voortmeyer for the Maritime Commission.

The Port Manager reported that the National Wage and Hours Law had gone into effect on October 24 and that consideration was being given by the Waterfront Employers Association to the closing of the docks at noon on Saturdays, in order to avoid payment of overtime required by the Waterfront Labor Unions.

The report of the Auditing Committee on claims and demands was adopted.

The following resolutions were introduced and passed by the following vote:

AYES: Commissioners Colbourn, Fisher, Fardee, Roland and  
President McElroy -5-

NOES: None

ABSENT: None

"RESOLUTION NO. 4854

RESOLUTION APPROVING AND ALLOWING  
CERTAIN CLAIMS AND DEMANDS.

RESOLVED: That the following claims and demands, having been approved by the Auditing Committee, be and the same are hereby approved and allowed by the Board of Port Commissioners and the Auditor is authorized to draw his warrant for the same out of the proper Fund:

LEASED WHARF IMPROVEMENT FUND:	
Howard Terminal	\$3,990.53
HARBOR MAINTENANCE AND IMPROVEMENT FUND:	
Adherite Corporation	18.01
Air Reduction Sales Co.	8.50
American Auto Metal Works	2.75
The American Rubber Manufacturing Co.	53.48

Baker, Hamilton & Pacific Company	\$ 16.97
Bay Cities Asbestos Co.	5.37
Bearing and Equipment Co.	7.02
Geo. R. Borrmann Steel Company	100.76
Cochran & Celli	6.67
Columbia Wood and Metal Preservative Co.	42.49
Colyear Motor Sales Company	13.56
Cocs Bay Lumber Company	10.07
Henry Cowell Lime and Cement Co.	20.19
Dieterich-Post Company	36.93
East Bay Blue Print and Supply Co.	1.16
East Oakland Auto Top Shop	8.50
The Electric Corporation	15.10
H. B. Folsom	63.17
Forman Motor Company	4.30
Eric H. Frisell	450.00
General Petroleum Corporation of California	22.11
Grinnell Company of the Pacific	4.46
H. & M. C. Co.	6.70
The Hancock Oil Co. of Calif.	241.69
Paul Hartman Company	106.50
Harvey Hanson	69.53
Hersey Manufacturing Company	11.58
Hogan Lumber Company	36.49
L. N. "Len" Johnson-Typewriters	14.50
Kling-Dawers Stationery Co., Inc.	12.82
Geo. A. Kreplin Co.	1.20
Libby, McNeill & Libby	611.32
Maxwell Wholesale Hardware Company	114.15
National Lead Company	43.26
Oakland Air Port Transportation Service	200.00
Oakland Battery Co.	4.31
Oakland Plumbing Supply Co.	18.81
The Pacific Telephone and Telegraph Company	227.89
Pacific Tool and Supply Company	7.86
Phoenix Iron Works	194.41
Ransome Company	33.75
R. J. Roesling & Company	152.07
The Ross Carrier Company	46.64
San Francisco Commercial Club	39.89
Schirrmacher Co.	1.75
Sentinel Sanitary Supply Company	34.23
The Sherwin-Williams Co.	9.96
B. Simon Hardware Co.	33.41
Irving L. Singer Co.	40.17
Smith Brothers	33.36
Sterling Press	13.88
Sunset-McKee Salesbook Co.	108.05
Tide Water Associated Oil Company	66.49
Transit Concrete	47.05
The Tribune Publishing Co.	2.25
Voegtly & White	15.14
White Investment Company	50.00
E. K. Wood Lumber Co.	48.80
A. L. Young Machinery Company	61.80
Zellerbach Paper Company	2.53
Pay Rolls - Administrative Department	2,151.90
"    "    - Airport	860.00
"    "    - Engineering Department	2,191.12
"    "    - Grove and Market Street Piers	1,583.63
"    "    - Maintenance Department	3,321.12
"    "    - Ninth Avenue Pier	666.37
"    "    - Outer Harbor Terminal	5,530.39
"    "    - Traffic Department	1,392.50
L. M. Clough Co.	1,217.29
1925 OAKLAND HARBOR IMPROVEMENT BOND FUND:	
Calaveras Cement Company	446.75
	<u>\$27,027.41"</u>

"RESOLUTION NO. 4855

RESOLUTION ACCEPTING CONTRACT  
WITH L. M. CLOUGH AND E. M. ROACH,  
CO-PARTNERS DOING BUSINESS UNDER  
THE FIRM NAME AND STYLE OF L. M.  
CLOUGH CO., a copartnership.

Whereas, L. M. Clough and E. M. Roach, copartners doing business under the firm name and style of L. M. Clough Co., a copartnership, have faithfully performed all the terms and conditions of and have completed that certain contract with the Port, dated August 31, 1938, (Auditor's No. 6548), for the furnishing and delivering of 15,000 tons, more or less, of crusher run rock to Oakland Municipal Airport, now therefore, be it

RESOLVED that said contract be and it is hereby accepted."

"RESOLUTION NO. 4856

RESOLUTION ACCEPTING CONTRACT  
WITH THE ROSS CARRIER COMPANY.

Whereas, The Ross Carrier Company, a corporation, has faithfully performed all the terms and conditions of and has completed that certain contract with the Port, dated August 31, 1938, (Auditor's No. 6549), for the furnishing and delivering of one lumber carrier to Ninth Avenue Terminal, now therefore, be it

RESOLVED that said contract be and it is hereby accepted."

"RESOLUTION NO. 4857

RESOLUTION RATIFYING, CONFIRMING  
AND APPROVING CERTAIN TEMPORARY  
APPOINTMENTS.

BE IT RESOLVED that the action of the Port Manager in making the following temporary appointments is hereby ratified, confirmed and approved by this Board:

Wm. Haney, Pile Driver Foreman (Port Ordinance No. 222, Section 5.021) - \$1.70 per hour, effective October 17, 1938.

A. Whitehead, Pile Driver Operator, (Port Ordinance No. 222, Section 5.022) - \$1.60 per hour, effective October 17, 1938.

C. Ross, C. Brandon, B. Knick, Elmer Murphy and Norman A. Brotherton to the position of Pile Driver Man, (Port Ordinance No. 222, Section 5.023) - \$1.40 per hour each, effective October 17, 1938, with the exceptions of Elmer Murphy and Norman A. Brotherton, whose appointments shall be effective as of October 18 and 24, 1938 respectively."

"RESOLUTION NO. 4858

RESOLUTION RATIFYING, CONFIRMING AND APPROVING LEAVE OF ABSENCE GRANTED CLARENCE CRUM, PORT WATCHMAN.

BE IT RESOLVED that the leave of absence heretofore granted Clarence Crum, Port Watchman, (Port Ordinance No. 222, Section 8.21), for a period of seven consecutive days commencing October 14, 1938, on account of illness, is hereby approved by this Board, with compensation at the rate of 75% of the salary payable such employe, as provided by the rules of the Civil Service Board."

"RESOLUTION NO. 4859

RESOLUTION AUTHORIZING GASOLINE CONCESSION WITH STANDARD OIL COMPANY OF CALIFORNIA.

BE IT RESOLVED that the Port Manager be and he is hereby authorized to enter into an agreement with Standard Oil Company of California, a corporation, as Licensee, granting to Licensee the concession to sell gasoline and lubricants at Oakland Municipal Airport and to maintain facilities in connection therewith for a period of one (1) year commencing November 1, 1938, with compensation to the Port upon the customary gallonage basis on all gasoline sold."

"RESOLUTION NO. 4860

RESOLUTION AUTHORIZING AGREEMENT  
WITH HAROLD R. FISH AND RESCINDING  
RESOLUTION NO. 4853.

BE IT RESOLVED that the Port Manager be and he is hereby authorized to enter into an agreement with Harold R. Fish, an individual doing business under the style of Harold R. Fish & Co., as Licensee, providing for the occupancy by Licensee of an area of 65 feet by 230 feet on the western side of 19th Avenue for a period of one (1) year commencing June 1, 1938, at a monthly rental of \$35.00, and that such agreement shall be upon the general form of license agreement customarily used by this Board; and be it further

RESOLVED that such agreement shall contain an acknowledgment by Licensee of an existing debt as of June 1, 1938 of the sum of \$805.00 on account of rentals accruing between that date and July 1, 1936; and be it further

RESOLVED that Port Resolution No. 4853 be and the same is hereby rescinded."

"RESOLUTION NO. 4861

RESOLUTION DETERMINING THAT  
A LEASE SHOULD BE MADE OF CERTAIN  
PROPERTY AT THE FOOT OF NINETEENTH AVENUE  
FOR A PERIOD OF FIFTEEN YEARS, APPROVING  
FORM OF LEASE AND NOTICE INVITING BIDS, AND  
DIRECTING THE SECRETARY TO ADVERTISE FOR BIDS.

Whereas, public necessity and convenience and the interests of the Port require that the City of Oakland lease those certain premises located at the foot of Nineteenth Avenue in the City of Oakland, and now occupied by California Foundries, Inc., for a period of fifteen years, to the highest responsible bidder, subject to termination by the lessee at the end of ten years, and to other terms, provisions and conditions specified by this Board; and

Whereas, a form of lease and of a notice inviting bids therefor have been prepared by the Port Attorney under the direction of this Board, and filed with it, and the said form of lease and said notice and the provisions thereof, are hereby fully approved; now, therefore, be it

RESOLVED that the Secretary publish said notice as an advertisement in the official newspaper of the City of Oakland in the manner and for the time required by law to secure bids for such lease (each to be accompanied by a check in the amount of \$250), at public auction on Monday, October 31, 1938, at the hour of 4:15 p.m., and to furnish interested parties who may request same with copies of such proposed lease.

BE IT FURTHER RESOLVED that the Board reserves the right to reject any and all bids received if not satisfactory to it.

BE IT FURTHER RESOLVED that if the present occupant of such premises be not the successful bidder for such lease, the Port Attorney shall take such steps as may be required by law to cause the said occupants to vacate the said premises in ample time to permit its occupancy by whomever may be awarded such lease after the receipt of bids therefor and the effective date of such lease."

"RESOLUTION NO. 4862

RESOLUTION TRANSFERRING ADDITIONAL  
FUNDS TO 'CONSTRUCTION ACCOUNT PWA  
DOCKET NO. 1629-DS.'

BE IT RESOLVED that there is hereby transferred the sum of \$7,057.21 from the moneys in 1925 Oakland Harbor Improvement Bond Fund No. 567 to that certain special sub-account of said fund known as 'Construction Account PWA Docket No. 1629-DS' to be applied to the purposes of said fund as authorized by Port Resolution No. 4535."

"RESOLUTION NO. 4863

RESOLUTION ACCEPTING AND PROVIDING  
FOR RECORDATION OF LEASE OF ATLAS  
IMPERIAL DIESEL ENGINE CO.

RESOLVED that this Board hereby accepts that certain lease dated November 1, 1938, between the City of Oakland, a municipal corporation of the State of California, acting by and through its Board of Port Commissioners, and Atlas Imperial Diesel Engine Co., a corporation, and authorizes and directs recordation thereof."

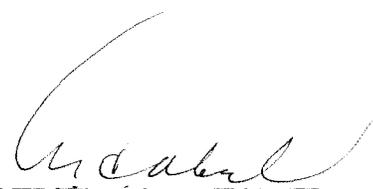
Port Ordinance No. \_\_\_\_\_ being "AN ORDINANCE AWARDED LEASE OF CERTAIN PROPERTY NEAR FIRST AND CLAY STREETS TO J. E. HIGGINS LUMBER CO., DETERMINING THAT NOTICE OF INTENTION TO MAKE SUCH LEASE WAS DULY GIVEN, THAT SAID COMPANY WAS THE HIGHEST RESPONSIBLE BIDDER THEREFOR AT THE HIGHEST RENT, THAT SAID BID SHOULD BE ACCEPTED, AND AUTHORIZING EXECUTION OF SUCH LEASE," was introduced and passed to print by the following vote:

AYES: Commissioners Colbourn, Fisher, Pardee, Roland  
and President McElroy -5-

NOES: None

ABSENT: None

ADJOURNED.

  
SECRETARY

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

of the

PORT OF OAKLAND

Held on Monday, October 31, 1938, at the hour of 3:15 o'clock p.m., in the office of the Board, Room 75, Grove Street Pier, due written notice of such meeting having been given members of the Board.

Commissioners present: Colbourn, Fisher, Roland and President  
McElroy -4-

Commissioner absent: Dr. Pardee -1-

11-11-38

The Port Manager, Port Attorney and Assistant Chief Engineer were also present.

The minutes of the regular meeting of October 24, 1938 were approved, as read, and adopted.

Copy of letter from the Board to Mr. Ira Abraham, Attorney representing American Dredging Company, rejecting their offer for 25-year lease and submitting terms under which the Board would invite bids for a lease, was filed.

Communication from Thomas J. Ledwich, Attorney-Associate of Mr. Ira Abraham, requesting that, due to Mr. Abraham's illness, which is confining him to the hospital, an additional two weeks' time be granted in which to reply to the Board's letter of October 28 and that an extension of time of thirty days from November 7 be granted for filing respondent's reply brief in the pending case in the District Court of Appeal, was read. Following consideration of the Port Attorney's memorandum on the matter, the Secretary was directed to advise Mr. Abraham that two weeks' additional time would be granted for reply to the Board's letter, but that in no case should the answer be delayed beyond November 21. The Port Attorney was directed to grant an extension of not more than two weeks' time after November 7 for the filing of the reply brief by Mr. Abraham. In this connection, the Port Attorney stated that the Attorney for the State Department of Public Works advised that his brief is in the hands of the printer supporting the Port's position in the condemnation appeal.

Communication from Pacific Telephone and Telegraph Company, requesting permission to make telephone cable attachment to the Port of Oakland overpass structure, in accordance with plans filed with the application, was read and resolution later passed granting revocable permit for placing the cables in ducts on the structure, provided permission is likewise obtained from the California Toll Bridge Authority.

Communication from the Works Progress Administration, requesting permission to use 3600 sq. ft. of space in the office building at Outer Harbor Terminal Industrial Area for a sewing project, was read and resolution later passed granting request, with provision for vacation of premises on thirty days' notice.

Communication from Cosgrove & Company, transmitting sixteen endorsements eliminating watchmen warranties from Albers' insurance policies, which total \$439,000.00, was filed. It was explained that inasmuch as a

clause in the insurance policies requires that watchman's service be continuously maintained by the Port and that inasmuch as this watchman's service is not now being carried out as required, it was necessary that the clause be eliminated and that with the endorsement now on the policies, the Port is fully protected.

Communication from the Port Manager, relative to changes in tariff items required to be made to conform to tariffs of private terminals and San Francisco carloading conference, was read and ordinance later introduced, amending the tariff ordinance No. 60.

Communication from Alameda County Advisory Council, inviting the Board to attend reception at Toy Loan Centers in Alexander Community House, 3rd and Linden Streets on Wednesday, November 2, the occasion being the inauguration of toy loan service, was filed.

Affidavit of Publication of Notice of Intention to make lease of property now occupied by California Foundries, Inc., was filed.

The Port Manager reported as follows on the status of certain funds as of October 28, 1938:

<u>Harbor Maintenance and Improvement Fund (No. 226)</u>	
Unencumbered Cash Balance as of Oct. 28, 1938.....	\$42,168.33
Set up in Special Funds 220 and 222 .....	75,000.00
Total Unencumbered Cash in all revenue funds	
as of Oct. 28, 1938 .....	117,168.33
Total Unencumbered Cash in all revenue funds	
as of Sept. 30, 1938 ...	99,342.19
<u>1925 Oakland Harbor Improvement Fund (No. 567)</u>	
Cash Balance as of Sept. 30, 1938 .....	175,125.00

Report of the Port Manager, submitting tonnage reports for the month of September, 1938, was filed.

Consideration was given to communication from the Port Manager, recommending that a suitable background painting be procured at a cost of \$150.00, to complete the revised model of Outer Harbor Terminal, which has just been completed by W.P.A., and authority granted for the painting of the background.

Further consideration was given to the offer of Mr. Sidney M. Hauptman, Trustee, Charles Nelson Steamship Co., to cancel the Sunset Lumber Company lease. The report of the Port Manager, recommending the cancellation of the lease, was read and the Board directed the Port Manager to advise Mr. Hauptman that it would be agreeable to the cancellation of the lease, provided an easement for road access to the Port property across the Sunset Lumber Company's land could be arranged.

Report of the Port Manager, relative to the appointment of



J. L. Cesar to position of Dock Laborer, was filed. Following report by Commissioner Roland on the matter, resolution was passed ratifying the appointment.

The Port Attorney reported that the Atlas Imperial Diesel Engine Co. lease had been fully executed and recorded.

In connection with the Moore Dry Dock Co. lease, it was stated that their attorney generally approves the form of lease as submitted to them, with exception that they insist upon freedom from dockage and tolls on shipments of steel used in their plant for purposes other than shipbuilding or ship repairs. It was ordered that this provision be given further study. Another provision, which Moore Dry Dock Co. requested, would permit them to dismantle or change existing piers or improvements on the leasehold to meet changing conditions of their operations, and it was the consensus of the Board that a clause to this effect would be in order.

In respect to the proposed Union Diesel Engine Co. lease, the Port Attorney stated that their attorney had sought, in part, to be relieved of duty to restore premises, or keep same in better condition than they are now in; further, that they desire the right to assign the lease without the Board's permission. It was the consensus of the Board that the lease should not be assigned without the Board's consent. The Port Manager stated that he had conferred with Mr. Otto Fischer, President of the Union Diesel Engine Co., and that Mr. Fischer did not insist on these clauses being changed in the proposed lease and that with minor changes, he believed the lease form would be approved by Mr. Fischer.

The Port Manager reported that the General Engineering & Dry Dock Co. had awarded contract for reconditioning of the Dollar Liner PRESIDENT TAFT at a cost of over \$100,000.00 and that they had issued illustrated pamphlet to the trade covering the activities of their plant, copy of which was called to the attention of the Board.

It was reported that the Oakland Chamber of Commerce Maritime & Harbor Committee had recommended to the Board of Directors that application of the Southern Pacific Company to the U. S. Engineers for closing the Fruitvale Bridge to vessel traffic during morning and evening commuter traffic peak periods be supported, provided a rehearing on the matter be held, in the event that future shipping in the tidal canal increases to such an extent that a change of order is necessitated.

It was reported that Mr. Joseph R. Sheehan, on October 28, succeeded Mr. R. Stanley Dollar as President of the Dollar Line and that Mr. Dollar, as well as Vice Presidents Hugo Lorber and Charles King, had resigned. It was stated that the new directors are Sheehan, A. B. Poole, Grant Wren, Hugh Jackson and Paul Hoover, and that the name of the line will be changed from Dollar Line to American President Lines.

The report of the Auditing Committee on claims and demands was adopted.

The following resolution was introduced and passed by the following vote:

AYES: Commissioners Colbourn, Fisher and President McElroy -3-

NOES: None

ABSENT: Commissioner Pardee -1-

NOT VOTING: Commissioner Roland -1-

"RESOLUTION NO. 4864

RESOLUTION APPROVING AND ALLOWING  
CERTAIN CLAIMS AND DEMANDS.

RESOLVED: That the following claims and demands, having been approved by the Auditing Committee, be and the same are hereby approved and allowed by the Board of Port Commissioners and the Auditor is authorized to draw his warrant for the same out of the proper Fund:

HARBOR MAINTENANCE AND IMPROVEMENT FUND:

Air Reduction Sales Co.	\$	15.14
The American Rubber Manufacturing Co.		56.62
Associated Stationers		12.51
Blake, Moffitt & Towne		1.01
Geo. R. Borrmann Steel Company		68.10
Burroughs Adding Machine Company		127.00
California Pottery Company		217.62
City of Oakland, Park Department		25.70
L. M. Clough Co.		233.11
Cochran & Celli		5.60
Colyear Motor Sales Company		2.72
Dieterich-Post Company		3.18
Down Town Battery & Electric Co., Inc.		4.12
East Bay Glass Company		1.96
The Electric Corporation		11.34
Heafey-Moore Co.		800.00
The Hancock Oil Co. of Calif.		25.01
The Hancock Oil Co. of Calif.		2.39
Ingersoll-Rand Company		18.56
E. & R. James Company		1.50
Kling-Dawers Stationery Co., Inc.		6.37
Laird's Stationery		2.72
The Marine Exchange of the San Francisco Chamber of Commerce		10.00
National Lead Company		227.48
Pacific Gas and Electric Company		1,017.57
The Pacific Telephone and Telegraph Company		41.50
Peterson Tractor & Equipment Co.		2.94
Planett Manufacturing Company		52.94
Sentinel Sanitary Supply Company		6.06
Shields, Harper & Co.		1.02
Southern Pacific Company		13.00
Strable Hardwood Company		1.01

Tide Water Associated Oil Company	\$ 24.64
Transit Concrete	48.36
The Tribune Publishing Co.	90.42
Western Notion & Novelty Co.	18.42
Westinghouse Electric Supply Company	55.47
E. K. Wood Lumber Co.	70.01
Zellerbach Paper Company	26.33
M. D. McCarl	12.60
R. N. Ricketts	18.83
The Sherwin-Williams Co.	3.44
Markell C. Baer	52.68
East Bay Municipal Utility District	550.66
L. M. Clough Company	2,636.61
1925 OAKLAND HARBOR IMPROVEMENT BOND FUND:	
Calaveras Cement Company	446.75
L. M. Clough Company	4,485.00
	\$11,556.02."

The following resolutions were introduced and passed by the following vote:

AYES: Commissioners Colbourn, Fisher, Roland and President  
McElroy -4-

NOES: None

ABSENT: Commissioner Pardee -1-

"RESOLUTION NO. 4865

RESOLUTION RATIFYING, CONFIRMING  
AND APPROVING REGULAR APPOINTMENT  
OF JACK L. CESAR TO POSITION OF  
DOCK LABORER.

BE IT RESOLVED that the action of the Port Manager in making the following regular appointment is hereby ratified, confirmed and approved by this Board:

Jack L. Cesar, Dock Laborer (Port Ordinance No. 222, Section 8.13), \$.80 per hour straight time and \$1.20 per hour overtime - appointment effective October 1, 1938."

"RESOLUTION NO. 4866

RESOLUTION CONSENTING TO INSTALLATION OF  
TELEPHONE CABLE ON PORT OF OAKLAND OVERPASS.

BE IT RESOLVED that the consent of this Board is hereby given to the proposal of Pacific Telephone & Telegraph Company to install, under revocable permit, a certain telephone cable with necessary attachments in one of the vacant conduits on the south overhang of the Port of Oakland overpass; provided, however, such approval therefor as may be required of the California Toll Bridge Authority and the Department of Public Works of the State of California be obtained."

"RESOLUTION NO. 4867

RESOLUTION RATIFYING, CONFIRMING  
AND APPROVING CERTAIN APPOINTMENTS.

BE IT RESOLVED that the following appointments are hereby ratified, confirmed and approved by this Board:

Frank E. Malynn, regular appointment to the position of Lumber Carrier Operator (Port Ordinance No. 222, Section 8.19) - \$.825 straight time and \$1.22 per hour overtime - appointment effective October 24, 1938.

J. H. Luthin, temporary appointment to the position of File Driver Man (Port Ordinance No. 222, Section 5.023) - \$1.40 per hour - appointment effective October 31, 1938.

Rudolph E. Temen, regular appointment to the position of Automobile Repair Mechanic (Port Ordinance No. 222, Section 5.011) - \$170 per

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month - appointment effective November 3, 1938."

"RESOLUTION NO. 4868

RESOLUTION GRANTING REVOCABLE LICENSE FOR SPACE IN ADMINISTRATION BUILDING, NORTH INDUSTRIAL AREA, FOR WPA SEWING PROJECT.

BE IT RESOLVED that a license is hereby granted to Works Progress Administration for the use of an area of 3600 square feet in the Administration Building, North Industrial Area, in connection with Works Progress Administration sewing project, No. 10028, pursuant to the terms and conditions set forth in Port Resolution No. 4787, and subject to termination on thirty days' notice; and be it further

RESOLVED that the Port Manager be and he is hereby authorized to enter into a suitable agreement in this connection with the Works Progress Administration."

"RESOLUTION NO. 4869

RESOLUTION PROVIDING FOR SETTLEMENT OF ISSUES WITH E. K. WOOD LUMBER COMPANY FOR UNPAID RENTAL.

Whereas, E. K. Wood Lumber Company, a corporation, having held certain premises in the Brooklyn Basin Area under a lease granted by the City of Oakland on June 30, 1911, which lease was terminated by this Board as of June 30, 1936, continued to hold possession of such premises pending litigation as to the right of the Board to make such termination, and until April 12, 1938, when said corporation commenced the payment of rental on a temporary arrangement with this Board; and

Whereas, during the interval of time from July 1, 1936 to April 12, 1938, the corporation held such premises by sufferance, paying no rent therefor, and negotiations having been carried on by the Port Manager with it and a settlement for the payment of such back rental by it of the sum of \$4349.46 in full settlement and compromise of the rental due for such period having been agreed upon, and this Board, being fully advised, deems that payment of such amount should be accepted and said account be closed; now, therefore, be it

RESOLVED that said sum be accepted from said corporation in full settlement and compromise of its delinquent rental for said period, otherwise, said account to remain open."

"RESOLUTION NO. 4870

RESOLUTION PROVIDING FOR SETTLEMENT OF ISSUES WITH UNION DIESEL ENGINE COMPANY FOR UNPAID RENTAL.

Whereas, Union Diesel Engine Company, a corporation, having held certain premises in the Brooklyn Basin Area under a lease granted by the City of Oakland on June 30, 1911, which lease was terminated by this Board as of June 30, 1936, continued to hold possession of such premises pending litigation as to the right of the Board to make such termination, and until February 1, 1938, when said corporation commenced the payment of rental on a temporary arrangement with this Board; and

Whereas, during the interval of time from July 1, 1936 to February 1, 1938, the corporation held such premises by sufferance, paying no rent therefor, and negotiations having been carried on by the Port Manager with it and a settlement for the payment of such back rental by it of the sum of \$216.67 in full settlement and compromise of the rental due for such period having been agreed upon, and this Board, being fully advised, deems that payment of such amount should be accepted and said account be closed; now, therefore, be it

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RESOLVED that said sum be accepted from said corporation in full settlement and compromise of its delinquent rental for said period; otherwise, said account to remain open."

"RESOLUTION NO. 4871

RESOLUTION PROVIDING FOR SETTLEMENT OF  
ISSUES WITH GENERAL ENGINEERING AND  
DRY DOCK COMPANY FOR UNPAID RENTAL.

Whereas, General Engineering and Dry Dock Company, a corporation, having held certain premises in the Brooklyn Basin Area under a lease granted by the City of Oakland on June 30, 1911, which lease was terminated by this Board as of June 30, 1936, continued to hold possession of such premises pending litigation as to the right of the Board to make such termination, and until February 1, 1938, when said corporation commenced the payment of rental on a temporary arrangement with this Board; and

Whereas, during the interval of time from July 1, 1936 to February 1, 1938, the corporation held such premises by sufferance, paying no rent therefor, and negotiations having been carried on by the Port Manager with it and a settlement for the payment of such back rental by it of the sum of \$2862.25 in full settlement and compromise of the rental due for such period having been agreed upon, and this Board, being fully advised, deems that payment of such amount should be accepted and said account be closed; now, therefore, be it

RESOLVED that said sum be accepted from said corporation in full settlement and compromise of its delinquent rental for said period; otherwise, said account to remain open."

"RESOLUTION NO. 4872

RESOLUTION PROVIDING FOR  
SETTLEMENT OF ISSUES WITH  
CROWLEY LAUNCH AND TUGBOAT  
CO. FOR UNPAID RENTALS.

Whereas, Crowley Launch and Tugboat Co., a corporation, having held certain premises in the Brooklyn Basin area under a lease granted by the City of Oakland on June 30, 1911, which lease was terminated by this Board as of June 30, 1936, has continued to hold possession of such premises pending litigation as to the right of the Board to make such termination and until the present date, and

Whereas, said corporation has negotiated a temporary arrangement for the future occupancy of such premises pending the determination of the plans for the construction of the proposed East Shore Highway, but has not paid rental for the use and occupation of the premises during the time it occupied the premises by sufferance, excepting in part for such portion of the premises as was formerly a part of the leasehold of Larue Wharf and Warehouse Company, a corporation, and

Whereas, negotiations have been carried on by the Port Manager with Crowley Launch and Tugboat Co. and a settlement and compromise for the payment of back rental in the amount of \$1350 to October 31, 1938 has been agreed upon, and this Board, being fully advised, deems that payment of such amount should be accepted and said account be closed, now therefore,

BE IT RESOLVED that said sum be accepted from said corporation in full settlement and compromise of its delinquent rental for said period; otherwise, said account to remain open."

"RESOLUTION NO. 4873

RESOLUTION AUTHORIZING GASOLINE CONCESSION  
WITH TIDEWATER ASSOCIATED OIL COMPANY.

BE IT RESOLVED that the Port Manager be and he is hereby authorized to enter into an agreement with Tidewater Associated Oil

Company, a corporation, as Licensee, granting to Licensee the concession to sell gasoline and lubricants at Oakland Municipal Airport and to maintain facilities in connection therewith for a period of one (1) year commencing November 1, 1938, with compensation to the Port upon the customary gallonage basis on all gasoline sold."

Port Ordinance No. 290 being "AN ORDINANCE AWARDDING LEASE OF CERTAIN PROPERTY NEAR FIRST AND CLAY STREETS TO J. E. HIGGINS LUMBER CO., DETERMINING THAT NOTICE OF INTENTION TO MAKE SUCH LEASE WAS DULY GIVEN, THAT SAID COMPANY WAS THE HIGHEST RESPONSIBLE BIDDER THEREFOR AT THE HIGHEST RENT, THAT SAID BID SHOULD BE ACCEPTED, AND AUTHORIZING EXECUTION OF SUCH LEASE," having been duly introduced, read and published, was finally adopted by the following vote:

AYES: Commissioners Colbourn, Fisher, Roland and President  
McElroy -4-  
NOES: None  
ABSENT: Commissioner Pardee -1-

Port Ordinances No. \_\_\_\_\_ and No. \_\_\_\_\_ being "AN ORDINANCE AMENDING CERTAIN SECTIONS OF PORT ORDINANCE NO. 60," and "AN ORDINANCE AMENDING SECTION 8.19 OF PORT ORDINANCE NO. 222," were introduced and passed to print by the following vote:

AYES: Commissioners Colbourn, Fisher, Roland and President  
McElroy -4-  
NOES: None  
ABSENT: Commissioner Pardee -1-

The hour of 4:15 o'clock p.m. having arrived, and due notice having been given, the President called for bids at public auction for the proposed lease of certain property at the foot of 19th Avenue. Only one bid therefor was received, being the written bid of California Foundries, Inc., a corporation, offering to pay rental of \$36,000.00 for the 15-year term of said lease and the sum of \$24,000.00 for the first 10-year term, should said lease be terminated at such time, and to comply with all the terms and conditions of the proposed lease. Said bid was duly accompanied by a certified check in the sum of \$250.00 and a written statement setting forth required information as to the responsibility of the bidder to comply with the proposed lease. The bid was thereupon publicly read. Upon the President calling for other bids, and there being one, either oral or written, and no other interested parties or prospective bidders being present, the bid was referred to the Port Manager for recommendation and to the Port Attorney as to form and legality.

ADJOURNED.

RBW

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

of the

PORT OF OAKLAND

Held on Monday, November 7, 1938, at the hour of 3:15 o'clock p.m., in the office of the Board, Room 75, Grove Street Pier, due written notice of such meeting having been given members of the Board.

Commissioners present: Colbourn, Fisher, Roland and President  
McElroy -4-

Commissioner absent: Dr. Pardee -1-

The Port Manager, Port Attorney and Assistant Chief Engineer were also present.

The minutes of the regular meeting of October 31, 1938 were approved, as read, and adopted.

Communication from Robert C. Parker, Chairman, Pacific Lumber Carriers Association, calling attention to proposed reduction in rail rate on lumber to \$8.00 per thousand FBM, which would seriously affect water movement of lumber through the Port and requesting the Board to assist in combatting this proposed rate reduction by the Southern Pacific Company, was read. The Port Manager stated that the Pacific Lumber Carriers Association was vitally concerned in this matter, inasmuch as it affected the economic operation of all of their tidewater lumber mills along the coast, and that if the proposed rate was authorized, the Port of Oakland would stand to lose a considerable amount of lumber tonnage which is now handled through the Port to valley points. After discussion, the Port Manager was directed to advise Mr. Parker that the Port would be represented at hearings to be scheduled and would oppose the decrease in rail rate from the standpoint of its effect on the tonnage passing through the Port, for which the Board has provided ample facilities at large investment of funds.

Communication from Captain V. H. Ragsdale, U. S. Navy, expressing appreciation for the Board's resolution in behalf of the Naval Reserve, was filed.

Port Manager's Certification of Completion of contract with Matson Electrical Equipment Co. for installation of electric power wiring at Seventh Street Unit of Outer Harbor Terminal, at a cost of \$4,121.00, was filed.

Port Manager's Certificate of Completion of contract with Ira G. Perin for furnishing and delivering one three-ton gas engined dock lift

truck, at a cost of \$4,324.00, was filed.

The Port Manager reported as follows on the status of certain funds as of November 4, 1938:

<u>Harbor Maintenance and Improvement Fund (No. 226)</u>	
Unencumbered Cash Balance as of Nov. 4, 1938 .....	\$50,081.13
Set up in Special Funds 220 and 222 .....	75,000.00
Total Unencumbered Cash in all revenue funds	
as of Nov. 4, 1938 .....	125,081.13
Total Unencumbered Cash in all revenue funds	
as of Oct. 31, 1938 .....	98,632.26
 <u>1925 Oakland Harbor Improvement Fund (No. 567)</u>	
Cash Balance as of October 31, 1938 .....	167,237.13

The report of the Port Manager on progress for the month of October, 1938, was filed.

The report of the Port Manager, on Fund 226 for the month of October, 1938, as prepared by the Chief Port Accountant, was filed.

The report of the Port Manager, on operations of Oakland Municipal Airport for the month of October, 1938, was filed.

The report of the Port Manager, on accounts receivable for the month of October, 1938, showing favorable decrease in past due accounts as compared with September, 1938, was filed.

It was reported that the Hamburg-American steamer VANCOUVER sank in the estuary opposite the Pan American Air Base on November 3 and that the sinking was attributed to be due to an explosion which caused the opening of a hole about five feet square in the starboard side of the hull; further, that Federal and County officials were fully investigating the cause of the accident. The Port Manager stated that following the refloating of the vessel, arrangements had been made for the discharge of the damaged cargo at the Grove Street Pier and that the vessel was now berthed at the pier and after the discharge of cargo, which would probably require several days, the vessel was scheduled to be dry docked at the Moore Dry Dock. It was pointed out that the damage to the vessel occurred in navigable waters under the jurisdiction of the Federal Government and that questions had arisen as to whether the German Government would be entitled to demand reparations from the United States, in the event the damage was caused by sabotage due to an explosion of a bomb on the exterior of the ship. It was further stated that the Port's public liability insurance policy, carried with the Zurich Insurance Company, does not cover damage caused by explosions or blasting and that if the vessel had been berthed in a slip at the Port facilities, which is inshore from the pierhead

line, the Port might be made a defendant in the case of damage to the vessel while berthed at the Port facilities.

The Board directed that inquiry be made into the liability insurance policies now in effect as to its coverage and as to what additional insurance might be provided to safeguard the Board against the possibility of explosion or blasting of vessels from the exterior, while berthed at the Port facilities.

The attention of the Board was called to the fact that a letter had been issued to all Port employees, warning of the dangers of the California life retirement plan, which is to be voted on at the election of November 8. The Port Attorney stated that he had talked against the retirement plan and the single tax issue before the Alameda County Employees Association and the Oakland Municipal Civil Service Employees Association and that a united effort would be made throughout all City departments to assist in defeating this proposed harmful legislation.

The Port Manager and Port Attorney reported on the hearing held by Colonel Dorst, U. S. Engineers, on the application of the City of South San Francisco for Federal aid in the creation of a port project in that City, including the dredging of channels and the installation of port facilities, which would create a new port in San Francisco Bay. Copy of letter signed by the Port Manager in opposition to the approval of the project, which was filed with Colonel Dorst, was read. It was further reported that the entire project appeared to be somewhat of a real estate venture and that opposition to the application was voiced by both the San Francisco and Oakland Chambers of Commerce and by Mr. Joseph Geary, representing the American Shipowners Association.

The Port Attorney reported that Judge Ogden of the Superior Court holds that the El Dorado Wharf Franchise Case should be tried, thus overruling the Port's demurrer to answer. The Port Attorney's communication in respect to this case was filed.

In respect to the American Dredging Company issues, the Port Attorney stated that stipulations were signed, extending the time to November 21, 1938 for the filing of respondent's brief; he further stated that the State Department of Public Works had filed a printed brief in support of the Board's position. The Port Manager stated that a letter

had been mailed to Mr. Ira Abraham, granting two weeks' time, as requested, from November 7, to reply to the Board's letter of October 28. Communications in respect to these matters were ordered filed.

In regard to airport matters, the Port Manager reported as follows: That the Public Works Administration denied San Francisco's application for PWA grant and the likelihood of obtaining Federal funds for Navy hangar at the Airport are lessened; that during October, thirty transport schedules could not use San Francisco Airport and were handled at Oakland and the San Francisco press finally admitted that fog conditions made use of San Francisco Airport inaccessible and Oakland Airport had been used; that copies of booklet "The Airport Dilemma" have been issued by the American Municipal Association; that Messrs. L. G. Pollard and Frank Nervino have made application for shop space at the Airport but that all shop space is now occupied and the application will be filed until space is available; that the main east and west runway paving at the Airport is now substantially completed for a length of 3200 feet and will be thrown open for use as soon as shoulders are completed; that voluminous questionnaires from Civil Aeronautics Authority, in connection with its airport survey, have been answered; and that German and English Consulate Generals, in response to our requests, have furnished description of new improvements now under construction at Tempelhof and Croydon.

The Port Manager stated that a new air view of the Ninth Avenue Municipal Terminal had been taken and a copy of the photograph, on which is shown the extensive improvements and enlargements that have been made to this terminal, was called to the Board's attention.

It was reported that the Port of Oakland employees had subscribed \$1500.00 to the Community Chest, which exceeded their quota by 13%.

The Port Manager stated that analysis of the open market purchases, as requested by the Board, was now being made and that report thereon would be forthcoming as soon as the analysis had been completed.

The reports of the Auditing Committee on claims and demands, and on weekly payrolls, were adopted, with the exception of the payroll check of J. L. Cesar, which was eliminated from the semi-monthly payroll for Outer Harbor Terminal until further action by the Board in respect to the date of re-appointment of Mr. Cesar to his position as Dock Laborer.

The following resolution was introduced and passed by the following vote:

AYES: Commissioners Colbourn, Fisher and President McElroy -3-

NOES: None

ABSENT: Commissioner Pardee -1-

NOT VOTING: Commissioner Roland -1-

"RESOLUTION NO. 4874

RESOLUTION APPROVING AND ALLOWING  
CERTAIN CLAIMS AND DEMANDS.

RESOLVED: That the following claims and demands, having been approved by the Auditing Committee, be and the same are hereby approved and allowed by the Board of Port Commissioners and the Auditor is authorized to draw his warrant for the same out of the proper Fund:

HARBOR MAINTENANCE AND IMPROVEMENT FUND:

Air Reduction Sales Co.	\$ 14.19
American Bitumuls Company	14.22
American District Telegraph Company	1.50
American-LaFrance and Foamite Industries, Inc.	21.20
Baker, Hamilton & Pacific Company	9.34
Sam Bates Company	175.00
Bay City Sanitary Rag Co.	6.06
Geo. R. Borrmann Steel Company	119.92
Calaveras Cement Company	285.93
California Concrete Products Co.	66.15
California Pottery Company	401.09
Cochran & Celli	13.30
Columbia Wood and Metal Preservative Co.	45.32
Colyear Motor Sales Company	3.98
Coos Bay Lumber Company	53.39
Henry Cowell Lime and Cement Co.	38.06
H. S. Crocker Company, Inc.	29.53
Dempsey & Sanders	2.13
Duck Air Services	25.00
East Oakland Auto Top Shop	5.00
The Electric Corporation	2.47
Firestone Auto Supply & Service Stores	38.46
The Gerrard Company, Inc.	138.43
Greenwood Printers, Ltd.	34.92
Haiden Auto Parts, Ltd.	5.59
The Hancock Oil Co. of Calif.	348.31
Heafey-Moore Co.	799.72
Robert W. Hunt Company	12.50
Independent Construction Co., Ltd.	326.25
Industrial Home for the Adult Blind	6.80
Ingersoll-Rand Company	23.90
International Business Machines Corporation	26.25
The International Press	26.78
L. N. "Len" Johnson-Typewriters	15.00
Geo. A. Kreplin Co.	9.79
Laird's Stationery	7.32
Lawton & Williams	53.56
Libby, McNeill & Libby	2.90
Libby, McNeill & Libby	59.75
Lights Incorporated	20.70
C. W. Marwedel	1.16
Maxwell Wholesale Hardware Company	365.55
Melrose Lumber & Supply Co.	25.29
National Lead Company	34.32
Pacific Tool and Supply Company	52.70
Planett Manufacturing Company	491.93
Postmaster, Oakland	40.00

Ray Pressure Snubber Company	4.65
Remington Rand, Inc.	1.03
The Rigney Tile Company	18.47
Karl Sandell	25.00
Sentinel Sanitary Supply Company	16.61
Shields, Harper & Co.	2.38
B. Simon Hardware Co.	33.11
Irving L. Singer Co., Limited	70.81
Smart & Mitchell	18.85
Smith Brothers	101.13
Standard Mill & Lumber Co.	3.00
Standard Oil Company of California	20.75
Sterling Press	9.34
Tide Water Associated Oil Company	39.64
Transit Concrete	4.75
The Tribune Publishing Co.	11.70
Underwood Elliott Fisher Company	11.50
United Iron Works	103.40
E. C. Wenger Company	6.74
Wickwire Spencer Steel Company	40.96
E. K. Wood Lumber	529.37
Powell Bros., Inc.	707.58
The Ross Carrier Company	4,532.00
The Tribune Press	367.51
Geo. A. Attwood	22.25
Thos. H. Moore	31.64
Geo. H. Nash	69.85
Harold Wiltermood	43.51
City of Oakland, City Hall	448.02
Port Revolving Fund - Misc.	303.50
Pay Rolls - Administrative Department	2,177.82
"    "    - Airport	860.00
"    "    - Engineering Department	2,241.37
"    "    - Grove & Market Street Piers	1,548.35
"    "    - Maintenance Department	3,794.61
"    "    - Ninth Avenue Pier	644.15
"    "    - Outer Harbor Terminal	5,505.97
"    "    - Traffic Department	1,327.50
1925 OAKLAND HARBOR IMPROVEMENT BOND FUND:	
Calaveras Cement Company	893.50
Heafey-Moore Company	5,692.60
	<u>\$36,585.38"</u>

The following resolutions were introduced and passed by the following vote:

AYES:	Commissioners Colbourn, Fisher, Roland and President McElroy	-4-
NCES:	None	
ABSENT:	Commissioner Pardee	-1-

"RESOLUTION NO. 4875

RESOLUTION APPROVING WEEKLY PAYROLLS,  
RATIFYING ALL HIRINGS AND EMPLOYMENTS  
THEREIN AND REIMBURSING PORT REVOLVING FUND.

BE IT RESOLVED that the weekly payrolls for the weeks ending October 18, October 25 and November 1, 1938, be and the same are hereby approved and the hiring or employment of each and all of the services therein set forth at the compensations therein paid is hereby ratified, confirmed and approved, and

BE IT FURTHER RESOLVED that the demand against the Harbor Maintenance and Improvement Fund for the reimbursement of the Port Revolving Fund in the amount set forth therein, having been approved by the Auditing Committee, is hereby approved and allowed, and the City Auditor be and he is hereby authorized and directed to draw his warrant for the same and make

such reimbursement.

HARBOR MAINTENANCE AND IMPROVEMENT FUND:

Port Revolving Fund Payrolls \$7,364.66"

"RESOLUTION NO. 4876

RESOLUTION ACCEPTING CONTRACT  
WITH IRA G. PERIN.

BE IT RESOLVED that the contract with Ira G. Perin for the furnishing and delivering of a 3-ton gas engined fork lift dock truck to Outer Harbor Terminal, Oakland, having been satisfactorily completed, be and the same is hereby accepted."

"RESOLUTION NO. 4877

RESOLUTION ACCEPTING CONTRACT  
WITH A. R. MATSON, DOING BUSINESS  
AS MATSON ELECTRICAL EQUIPMENT CO.

BE IT RESOLVED that the contract with A. R. Matson, doing business as Matson Electrical Equipment Co. for the installation of electric power facilities at Seventh Street Unit, Outer Harbor Terminal, Oakland, having been satisfactorily completed, be and the same is hereby accepted.

BE IT FURTHER RESOLVED that a Notice of Completion of said contract be duly filed in the office of the County Recorder of Alameda County."

"RESOLUTION NO. 4878

RESOLUTION RATIFYING, CONFIRMING  
AND APPROVING LEAVE OF ABSENCE  
GRANTED ROY WHEABLE, WITHOUT PAY.

BE IT RESOLVED that the leave of absence granted Roy Wheable, Port Maintenance Laborer, (Port Ordinance No. 222, Section 5.03) by the Port Manager, for a period of 9 consecutive days commencing October 11th, 1938, on account of illness, be and the same is hereby ratified, confirmed and approved by this Board, without compensation."

"RESOLUTION NO. 4879

RESOLUTION RATIFYING, CONFIRMING  
AND APPROVING LEAVE OF ABSENCE GRANTED  
MANUEL CORREA, DOCK LABORER.

BE IT RESOLVED that the leave of absence heretofore granted Manuel Correa, Dock Laborer (Port Ordinance No. 222, Section 8.13), for a period of 114 days commencing August 9, 1938, on account of illness, be and the same is hereby approved by this Board, without compensation."

"RESOLUTION NO. 4880

RESOLUTION AUTHORIZING PORT  
MANAGER TO ARRANGE INSTALLA-  
TION OF FIRE ALARM BOXES.

BE IT RESOLVED that the Port Manager is hereby authorized to arrange with the Electrical Department of the City of Oakland for the installation of 2 fire alarm boxes at Ninth Avenue Pier for fire protection purposes, at an approximate cost of \$100 for each box."

Port Ordinance No. 291 being "AN ORDINANCE AMENDING CERTAIN SECTIONS OF PORT ORDINANCE NO. 60," and Port Ordinance No. 292 being "AN ORDINANCE AMENDING SECTION 8.19 OF PORT ORDINANCE NO. 222," having been

duly introduced, read and published, were finally adopted by the following vote:

AYES: Commissioners Colbourn, Fisher, Roland and  
President McElroy -4-

NOES: None

ABSENT: Commissioner Pardee -1-

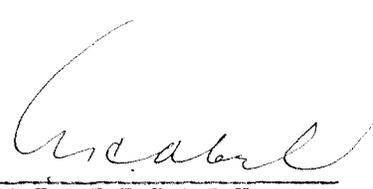
Port Ordinance No. \_\_\_\_\_, being "AN ORDINANCE AWARDING LEASE OF CERTAIN PROPERTY NEAR FOOT OF 19TH AVENUE TO CALIFORNIA FOUNDRIES, INC.; DETERMINING THAT NOTICE OF INTENTION TO MAKE SUCH LEASE WAS DULY GIVEN, THAT SAID COMPANY WAS THE HIGHEST RESPONSIBLE BIDDER THEREFOR AT THE HIGHEST RENT, THAT SAID BID SHOULD BE ACCEPTED; AND AUTHORIZING THE EXECUTION OF SUCH LEASE," was introduced and passed to print by the following vote:

AYES: Commissioners Colbourn, Fisher, Roland and  
President McElroy -4-

NOES: None

ABSENT: Commissioner Pardee -1-

ADJOURNED.




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S E C R E T A R Y



## REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

of the  
PORT OF OAKLAND

Held on Monday, November 14, 1938, at the hour of 3:15 o'clock p.m., in the office of the Board, Room 75, Grove Street Pier, due written notice of such meeting having been given members of the Board.

Commissioners present: Fisher, Roland and President McElroy -3-

Commissioners absent: Colbourn and Pardee -2-

The Port Manager, Port Attorney and Assistant Chief Engineer were also present.

The minutes of the regular meeting of November 7, 1938 were approved, as read, and adopted.

Communication from Brotherton, Thomas & Co., Certified Public Accountants, presenting their audit of the Board's accounts for the fiscal year ending June 30, 1938, was continued to the Board's next meeting, to permit the members to study the report.

Communication from E. K. Wood Lumber Co., advising that the freight rate of \$8.00 per M FEM on lumber moving by rail, as proposed by the Southern Pacific Company, would materially affect the movement of lumber by vessel through their plant and requesting the Board to protest the proposed rate, was read and referred to Port Manager, to be included in the presentation to be made by the Port in the event a hearing is held by the Interstate Commerce Commission on the matter of rate reduction.

Communication from the Port Manager, advising that the Works Progress Administration has approved inclusion of Oakland Yacht Harbor Extension as part of existing project No. 8780 and requesting authority to proceed with the project, was read and continued for further consideration at the next meeting of the Board.

Communication from J. P. Underhill, Traffic Manager, R. G. Le Tourneau, Inc., advising he has recommended filing of petition with the Maritime Commission for suspension of cancellation of rate on road-making implements, but that his company will let the matter rest for the present, was filed. It was noted that Mr. Underhill expressed thanks for assistance rendered by Port of Oakland officials in the matter.

Communication from the Maritime Commission, advising oral arguments

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will be held in Stockton case in Washington on November 30, 1938, was read. The Port Attorney stated that he had wired to Mr. Chalmers Graham and Mr. Geary, Attorneys for the steamship lines and private terminals, who are now in Washington, and that he would advise the Board at its next meeting as to the scope of the oral arguments and as to the advisability of representation by the Board at Washington.

Communication from the Port Manager, submitting plan for continuing work on runways at Oakland Municipal Airport under W.F.A. Project and recommending purchase of 32,000 tons of crusher run rock, was continued for consideration.

A communication was received from American Dredging Company, dated November 14, 1938, accompanied by a quitclaim deed, dated October 13, 1938, to the right-of-way involved in the pending condemnation case brought by the City of Oakland against said company and which case is on appeal. The Port Attorney reported that Mr. Thomas Ledwich, an attorney of record in the pending case, accompanied by Mr. Clifford Burnhill, an attorney associated with Mr. Ira Abraham, had delivered the said deed and letter to him a few minutes before the Board had convened; that they had discussed the situation with him and had stated that Mr. Abraham was still ill and they had not conferred with him lately, but that he had prepared the deed and letter before he became ill, but that they were in no position to agree that the acceptance by the Board of the deed would eliminate any issues as to severance damages, court costs, payment of an attorney's fee, the claimed continuance of the 1911 lease, or otherwise. After considerable discussion, a resolution rejecting the deed was prepared by the Board, then read and adopted. The Board also expressed its unwillingness to consent to any further extension of time in which the defendant corporation might file a reply brief in the pending appeal. The said communication from the corporation was filed, the Secretary being directed to return the deed.

Copy of Port Manager's letter to K. A. Godwin, Regional Director, Public Works Administration, requesting preference be given to Docket No. 2436 for construction of hangar for the Navy Reserve at Oakland Municipal Airport, was read and following full discussion, in which it was shown that sufficient funds were available for proceeding with the construction of the hangar, in the event that a Federal Grant were forthcoming, the Port Manager was directed to advise Mr. Godwin that the Board was ready to undertake the construction under Docket No. 2436.

The Port Manager reported as follows on the status of certain funds as of November 11, 1938:

<u>Harbor Maintenance and Improvement Fund (No. 226)</u>	
Unencumbered Cash Balance as of Nov. 11, 1938.....	\$ 52,145.02
Set up in Special Funds 220 and 222.....	75,000.00
Total Unencumbered Cash in all revenue funds	
as of Nov. 11, 1938.....	127,145.02
Total Unencumbered Cash in Fund 226 as of	
Oct. 31, 1938.....	98,632.26
<u>1925 Oakland Harbor Improvement Fund (No. 567)</u>	
Cash Balance as of October 31, 1938.....	167,237.13

The Port Manager reported that Hugh M. Worcester, representing U. S. Biological Survey and C. L. Bundock, State Game Warden, had conferred with him and had advised him that game laws were being violated by members of the Bay Bridge Rod and Gun Club on Sand Island in the North Harbor opposite the Toll Plaza of the San Francisco-Oakland Bay Bridge. It was further reported that the lease on the island expires on December 31, 1938 and that provisions of the lease had not been observed by the Club. Comments on the unsightliness of the island's improvements, which are along the main highway leading to the Golden Gate International Exposition, were noted and after discussion, the Port Manager was directed to notify the Club of the intention of the Board to terminate the lease upon its expiration.

The Port Manager stated that it was the desire of the Waterfront Employers Association to close down activities on the piers and wharves in San Francisco Bay on Saturday afternoons, but that the East Bay private operators and some of the steamship companies desired to receive cargo after noon on Saturday but were willing to discontinue deliveries at noon. After discussion, the Board directed the Port Manager to advise the private terminal operators that it would be willing to close its terminals for deliveries on Saturday noon, but that the docks should continue to receive cargo during the afternoon.

The Port Manager reported that the Hamburg-American SS VANCOUVER, which was sunk in the Estuary and re-floated, will continue discharge of cargo at Grove Street Pier throughout the present week and will then be dry docked at Moore Dry Dock.

In reviewing results of the November 8th election, the Port Attorney stated that under the administration of Governor Olsen, it is likely that bills to convey to the Port the remaining portions of State tidelands will be approved, and that Assemblyman Miller urges that such bills be introduced without fail. It was also stated that although the

California Life Retirement Plan had been defeated by voters, it is reported that proponents propose to bring up the issue at a special election.

In respect to Airport matters, it was reported that the main east and west runway had been completely paved, including the oiling of the 25-foot shoulders for a length of 3200 feet and that it has been thrown open to traffic; that transport plane pilots of various air lines were using the runway for landing beam practice on November 11, 12 and 13 and that the landing beam is proving very efficient.

The Port Manager reported that the new Port of Oakland model of the Outer Harbor Terminal was exhibited at the Manufacturers Exposition at the Hotel Oakland during the past week and that many favorable comments had been received. The photograph of the model at the exposition was presented.

The Port Manager stated that City Manager J. F. Hassler had requested a meeting with the Board members at his office at 10:00 o'clock a.m., Wednesday, November 16, in respect to the East Shore Highway right-of-way through the Brooklyn Basin area and the Board directed the Port Manager to advise Mr. Hassler that members would be present at the conference.

It was noted that Charles A. Marsh, Right-of-Way Supervisor for Toll Bridge Authority and State Highway Department, with whom negotiations for bridge and east shore highway have been carried out, died on November 6.

The report of the Auditing Committee on claims and demands, as corrected, was adopted.

The following resolutions were introduced and passed by the following vote:

AYES: Commissioners Fisher, Roland and President McElroy -3-  
 NOES: None  
 ABSENT: Commissioners Colbourn and Pardee -2-

"RESOLUTION NO. 4881

RESOLUTION APPROVING AND ALLOWING  
 CERTAIN CLAIMS AND DEMANDS.

RESOLVED: That the following claims and demands, having been approved by the Auditing Committee, be and the same are hereby approved and allowed by the Board of Port Commissioners and the Auditor is authorized to draw his warrant for the same out of the proper Fund:

HARBOR MAINTENANCE AND IMPROVEMENT FUND:	
Airplane Parts & Supplies, Inc.	\$ 10.66
Alhambra Water Company	1.24
Baker, Hamilton & Pacific Company	16.81
Bigge Drayage Company	28.00
Geo. R. Borrman Steel Company	56.57
California Pottery Company	12.79
California Wool Growers Association	5.00
J. Catucci	102.30

L. M. Clough Co.	611.74
Cochran & Celli	2.16
M. L. Cohen Co.	13.39
Columbia Wood and Metal Preservative Co.	88.99
Contra Costa Laundry	.75
Henry Cowell Lime and Cement Co.	2.73
H. S. Crocker Company, Inc.	8.63
Dempsey & Sanders	66.92
Milt Dohner	3.02
East Bay Blue Print & Supply Co.	45.17
East Bay Municipal Utility District	75.00
The Electric Corporation	1.83
Fishstrom Staple Company	26.04
H. B. Folsom	76.41
Greenwood Printers Ltd.	57.99
Grinnell Company of the Pacific	76.47
The Hancock Oil Co. of Calif.	58.56
Hersey Inspection Bureau	16.50
Hoffmeyer Belting & Supply Co.	.51
Hutchinson Co.	166.09
Lee J. Immel	175.00
Kling-Dawers Stationery Co., Inc.	6.86
Laird's Stationery	8.23
Lamberson & Whyatt Welding Works	.75
Lawton & Williams	13.39
Robert Lowe	14.55
Melrose Lumber & Supply Co.	133.48
Albert C. Moe	20.53
C.L. Moody Brush Co.	10.09
National Lead Company	57.34
Oakland Airport Inn	2.83
Oakland Fire Extinguisher Company	4.94
Oakland Plumbing Supply Co.	11.60
Oakland Rubber Stamp Co.	1.60
Pacific Graphite Works	15.45
Pacific Tool and Supply Company	7.08
The Paraffine Companies, Inc.	93.47
Phoenix Iron Works	82.40
Ransome Company	349.55
Remington Rand Inc.	5.25
Karl Sandell	17.50
Schirrmacher Co.	3.25
H. G. Scovern & Co.	2.02
Smith Brothers	4.71
Superior Rock Co.	32.44
The Texas Company	44.16
Tide Water Associated Oil Company	12.32
Transit Concrete Ltd.	37.54
The Tribune Press	3.35
United Iron Works	38.88
Victor Equipment Company	.72
Whitthorne & Swan	4.72
E. K. Wood Lumber Co.	431.27
A. C. Meadows	38.63
J. S. Saunders	32.86
Powell Bros., Inc.	469.59
W. P. Koetitz	400.00
Sam Bates Company	192.75
1925 OAKLAND HARBOR IMPROVEMENT BOND FUND:	
Matson Electrical Equipment Company	3,090.75
	<hr/>
	\$7,504.12."

"RESOLUTION NO. 4882

RESOLUTION AUTHORIZING GASOLINE  
CONCESSION WITH THE TEXAS COMPANY.

BE IT RESOLVED that the Port Manager be and he is hereby authorized to enter into an agreement with The Texas Company, a corporation, as Licensee, granting to Licensee the concession to sell gasoline and lubricants at Oakland Municipal Airport and to maintain facilities in connection therewith for a period of one (1) year commencing November 1, 1938, with compensation to the Port upon the customary gallonage basis on all gasoline sold."

"RESOLUTION NO. 4883

RESOLUTION PROVIDING FOR EXTENSION  
OF LICENSE AGREEMENT WITH HOWARD TERMINAL.

BE IT RESOLVED that the Port Manager be and he is hereby authorized to enter into an agreement with Howard Terminal, a California corporation, as Licensee, providing for the extension of that certain agreement between Licensee and the Port, dated November 18, 1935, as thereafter modified, covering the occupancy by Licensee of the quay wall and quay wall shed near the foot of Market Street, for a further period of one (1) year commencing December 1, 1938, upon and subject to all the terms, covenants and conditions contained in the agreements mentioned."

"RESOLUTION NO. 4884

RESOLUTION APPROVING APPOINTMENT OF  
JACK L. CESAR TO POSITION OF DOCK LABORER.

BE IT RESOLVED that Jack L. Cesar, having been reinstated to the eligible list of dock laborer by the Civil Service Board and the Port Manager having recommended his appointment to the position of dock laborer (Port Ordinance No. 222, Section 8.13), \$.80 per hour straight time and \$1.20 per hour overtime, such employee is hereby appointed to such position - appointment effective November 16, 1938; and be it further

RESOLVED that Port Resolution No. 4865 passed by this Board on October 31, 1938, be and the same is hereby rescinded."

"RESOLUTION NO. 4885

RESOLUTION REJECTING TENDER OF QUITCLAIM  
DEED FROM AMERICAN DREDGING COMPANY.

Whereas, American Dredging Company, a corporation, having sought unsuccessfully by motion to cause a dismissal of that certain appeal pending in the condemnation case brought by the City of Oakland against said corporation as defendant, being No. 10837 in the District Court of Appeal, First Appellate District, State of California, which motion was denied by the said Court on September 26, 1938 (95 C.A.D. 1), has this day unexpectedly tendered to this Board of Port Commissioners a quitclaim deed to the City of Oakland of the right of way involved in said appeal which the City seeks to condemn through an area over which said defendant corporation, being in occupation, claims a right of possession or a continuance of a leasehold interest; and

Whereas, it appears to this Board from representations by counsel for the defendant corporation that the tender and requested acceptance of such quitclaim deed would not dispose of the issues as to severance damages claimed by defendant corporation, or the matter of the costs incurred by the City in such litigation, and would leave open, among others, an issue raised by the said corporation as to the City's alleged obligation to pay it an attorney's fee for a claimed or prospective abandonment of the action in condemnation, as well as the vital issue urged by defendant corporation that its former lease dated June 30, 1911, was not effectively terminated as of June 30, 1936, with the other leases granted under the Statutes of 1911, p. 1254, although expressly so named in the resolution (Port Resolution No. 3638) under which all such leases were declared terminated and which said action of the Board was, at least as to certain of said leases, confirmed by the Supreme Court of this State in the cases of Board of Port Commissioners et al. v. Williams, 9 Cal. (2d) 381, and LaRue Wharf and Warehouse Co. v. Board, 9 Cal. (2d) 397, decided July 30, 1937, and it appears that it would otherwise prejudice the rights and position of the City and this Board and the Public interests it represents, and good cause appearing therefor, now, therefore, be it

RESOLVED that the tender of said quitclaim deed be and the same is hereby rejected and the Secretary of this Board is directed to forthwith return said deed to said corporation by registered mail,

together with a certified copy of this resolution, and the Port Attorney be directed to prosecute the said pending appeal of said action to final judgment."

Port Ordinance No. 293 being "AN ORDINANCE AWARDED LEASE OF CERTAIN PROPERTY NEAR FOOT OF 19TH AVENUE TO CALIFORNIA FOUNDRIES, INC.; DETERMINING THAT NOTICE OF INTENTION TO MAKE SUCH LEASE WAS DULY GIVEN, THAT SAID COMPANY WAS THE HIGHEST RESPONSIBLE BIDDER THEREFOR AT THE HIGHEST RENT, THAT SAID BID SHOULD BE ACCEPTED; AND AUTHORIZING THE EXECUTION OF SUCH LEASE," having been duly introduced, read and published, was finally adopted by the following vote:

AYES: Commissioners Fisher, Roland and President McElroy -3-  
NOES: None  
ABSENT: Commissioners Colbourn and Pardee -2-

ADJOURNED.

  
SECRETARY

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

of the  
PORT OF OAKLAND

Held on Monday, November 21, 1938, at the hour of 3:15 p.m., in the office of the Board, Room 75, Grove Street Pier, due written notice of such meeting having been given members of the Board.

Commissioners present: Fisher and Roland, and President McElroy -3-

Commissioners absent: Colbourn and Pardee -2-

The Port Manager, Port Attorney and Assistant Port Attorney, and Assistant Chief Engineer were also present.

The minutes of the regular meeting of November 14, 1938 were approved, as read, and adopted.

Communication from General Engineering and Dry Dock Co., transmitting check for \$2,862.25 in full settlement of back rental compromise

for period of July 1, 1936 to February 1, 1938 on their leasehold and expressing appreciation for the fine spirit of cooperation shown by the Board and its officials during negotiations leading to the settlement, was filed.

Communication from William Steinberg, Attorney, representing Central Land and Improvement Co., agreeing to terms as set forth by the Board for the transfer of a 100-foot right-of-way for road at Oakland Municipal Airport, was filed.

Communication from Howard Terminal, requesting Board to approve reconstruction and extension of its Pier No. 2 at an estimated cost of \$120,000.00 and presenting plans for the new construction, was read. The Port Attorney stated that there was a question as to whether or not the existing lease of Howard Terminal, which was entered into by the City Council in 1914, expired in 1939 at the expiration of 25 years, or in 1949 at the expiration of the 35-year period which was named in the lease; he explained that at the time the lease was entered into, the City Charter strictly limited the maximum term of lease to 25 years and he doubted the validity of the lease for any term exceeding the 25-year period. The Board requested the Port Attorney to submit a report on this phase of the lease and continued for consideration the request of Howard Terminal for permission to reconstruct its Pier No. 2.

Communication from the Port Manager, recommending increase in lumber handling rates at Ninth Avenue and Livingston and Dennison Street port facilities, was read and an ordinance later introduced and passed to print, increasing the rates as recommended.

Communication from the Port Manager, recommending construction of two additional passenger gang planks under a Works Progress Administration project, at an estimated cost of \$300.00, was read and a resolution later passed, authorizing the Port Manager to arrange for a project covering the construction of the two gang planks.

Communication from J. W. Bournier, Acting Regional Director, Public Works Administration, advising the Board's letter in respect to Airport project had been forwarded to Washington, was filed.

Copy of letters addressed to Marshall C. Harris, President, American Dredging Company, and Mr. Ira Abraham, Attorney, enclosing certified copy of Board's Resolution No. 4885, rejecting tender of quitclaim deed and returning the deed by registered mail, was filed.

Communication from the Port Attorney, relative to Stockton rate

case oral arguments to be heard in Washington, D. C. on November 30th and recommending that he be authorized to be present to represent the Port at this hearing, was read and a resolution later passed, authorizing the Port Attorney to proceed to Washington and represent the Board in the oral arguments before the Maritime Commission.

Communication from the Port Manager, enclosing copy of letter from J. H. Skeggs, District Engineer, State Highway Department, to Walter N. Frickstad, City Engineer, regarding the right-of-way for the East Shore Highway through the Brooklyn Basin area, and submitting certain data and recommendations in respect thereto, was read and continued for further discussion. In response to the Port Manager's request for determination of the policy in respect to questions related to the problem, it was the consensus of the Board that:

1. The granting of the 122-foot right-of-way through the Brooklyn Basin area should be contingent on the obtaining from the Federal Government a change in harbor and bulkhead lines, as shown on the map accompanying the Port Manager's communication, which would result in an undiminished width of Port area being maintained along the Brooklyn Basin;

2. That the Port area needed for State Highway purposes should not be contributed without compensations;

3. That the Port should be reimbursed for cost of relocating existing facilities, including re-arrangement necessary to meet the needs of present occupants and that these costs should apply also to the relocation of the embarcadero, which was originally planned to be located adjoining the Southern Pacific right-of-way;

4. That proper credit should be given the State Highway Department for the cost of re-arrangement of facilities which would have been necessary on account of the construction of the embarcadero in its original location;

5. That the acquirement of fee property for the embarcadero in its new location should be for the account of the State Highway Department;

6. That the State Highway Department should compensate the Port for the cost of the bulkheading and filling and in the event that this bulkheading and filling is not undertaken at this time, that the compensation might take the form of construction of the embarcadero, or other work which the State could undertake on the Port's behalf, in connection with the project; and

7. That the belt line and the connecting spurs, which are to be constructed by the State Highway Department on the right-of-way to be provided by the Port should be owned or controlled by the Port, in which event the trackage would be allowed as a credit to the State Highway Department against the value of the right-of-way which the Port would be granting to the State.

The Board directed the Port Manager to advise Mr. Hassler, City Manager, that it would be pleased to be present at any conference which he might hold with the State Highway Department officials in respect to further discussion of this matter.

Report of the Port Manager, submitting report on funds for the first quarter of the fiscal year 1938-1939, as prepared by the Chief Port Accountant, was filed.

Communication from Brotherton, Thomas & Co., Certified Public Accountants, presenting their audit of the Board's accounts for the fiscal year ending June 30, 1938, was filed.

Further consideration was given to communication from the Port Manager, submitting plan for continuing work on the runways at Oakland Municipal Airport under W.P.A. project and recommending purchase of 32,000 tons of crusher run rock, and resolution later passed authorizing advertising for bids for purchase of 32,000 tons of crusher run rock and for the drainage pump. In this connection, it was decided that the advertisement for rock should be made in approximately 10,000 ton lots.

The Port Manager reported as follows on the status of certain funds as of November 18, 1938:

<u>Harbor Maintenance and Improvement Fund (No. 226)</u>	
Unencumbered Cash Balance as of Nov. 18, 1938.....	\$ 43,248.11
Set up in Special Funds 220 and 222.....	75,000.00
Total Unencumbered Cash in all revenue funds	
as of Nov. 18, 1938..	118,248.11
Total Unencumbered Cash as of Oct. 31, 1938.....	98,632.26
<u>1925 Oakland Harbor Improvement Fund (No. 567)</u>	
Cash Balance as of October 31, 1938.....	167,237.13

Mr. Sidney Hauptman, Receiver for the Nelson Steamship Company, and Mr. Cordill, his associate, met with the Board and discussed the matter of relinquishing the Sunset Lumber Company's lease. Mr. Hauptman reviewed the involved conditions surrounding the entire matter in which the parties in interest, aside from the Port of Oakland, are the Sunset Lumber Company, Chas. Nelson Company, Anglo-California National Bank, Wells-Fargo Bank & Union Trust Company, and other preferred and common

creditors, as set forth in his communication of October 10, 1938. Mr. Hauptman stated that, as requested by the Board, he would be willing to recommend that an easement for a roadway be granted across the Sunset Lumber Company's property from Fallon Street to the leased premises conditioned on the Board proceeding with rehabilitation of the wharf, and further, that this easement would be for the purpose of serving only the leased area, together with their fee property. The Board informed Mr. Hauptman that it was endeavoring to construct an embarcadero along the waterfront from Clay Street to 19th Avenue and that this embarcadero would pass through their property, that the proposed easement would become a part of this highway and that the Sunset Lumber Company should be willing to contribute an 80-foot wide right-of-way for this purpose, provided the roadway would be improved by the Port.

President McElroy stated that a survey should be made of the right-of-way and study should be given to the matter from the standpoint of the future development of the embarcadero and not solely for the purpose of serving leasehold which the Sunset Lumber Company desires to return to the Port.

After further discussion, Mr. Hauptman was requested to present this phase of the matter to his interests and the Port Manager was directed to make a survey and report on the cost of constructing that portion of the embarcadero. The Board stated to Mr. Hauptman that in the event the leasehold were returned to the Port, it could not in any way commit itself as to reconditioning of the wharf, unless indications for remunerative use of the wharf were evidenced.

In respect to the American Dredging Company's appeal, the Port Attorney reported that the Court had extended time for filing of reply brief by Mr. Ira Abraham to December 21 and that this extension of time is based on an affidavit by Mr. Thos. J. Ledwich, associate counsel. Copies of the Court's order and Mr. Ledwich's affidavit were filed.

The Port Manager called the Board's attention to an accident occurring on the North German Lloyd MS WESER, while berthed at Howard Terminal, in which two ship's booms fell, causing the death of a longshoreman. It was further reported that the accident apparently was caused by defective cables which secured the booms.

The Port Manager reported that the Hamburg-American SS VANCOUVER, which had been discharging damaged cargo at Grove Street Pier, was moved from the pier on November 20 and dry docked at Moore Dry Dock, where the

investigation as to the bombing, which caused the ship to sink in the estuary of November 3, was being completed.

It was reported that President McElroy and the Port Manager had attended the raising of the flag on the American President Line's SS PRESIDENT COOLIDGE in San Francisco on Friday, November 18, and that President Sheehan of the American President Lines had been complimented on the inauguration of their operations.

The Port Manager reported that an accident, with apparent suicidal intent, had occurred at 3:00 a.m. on November 21, when an automobile was driven from the wharf's edge by a Mr. John Dutra and that the automobile and its occupant had been recovered from the estuary.

The reports of the Auditing Committee on weekly payrolls, and on claims and demands, were adopted.

The following resolutions were introduced and passed by the following vote:

AYES: Commissioners Fisher and Roland, and President McElroy-3-

NOES: None

ABSENT: Commissioners Colbourn and Fardee -2-

"RESOLUTION NO. 4886

RESOLUTION APPROVING WEEKLY PAYROLLS,  
RATIFYING ALL HIRINGS AND EMPLOYMENTS  
THEREIN AND REIMBURSING PORT REVOLVING  
FUND.

BE IT RESOLVED that the weekly payrolls for the weeks ending November 8 and November 15, 1938 be and the same are hereby approved and the hiring or employment of each and all of the services therein set forth at the compensations therein paid is hereby ratified, confirmed and approved, and

BE IT FURTHER RESOLVED that the demand against the Harbor Maintenance and Improvement Fund for the reimbursement of the Port Revolving Fund in the amount set forth therein, having been approved by the Auditing Committee, is hereby approved and allowed, and the City Auditor be and he is hereby authorized and directed to draw his warrant for the same and make such reimbursement.

HARBOR MAINTENANCE AND IMPROVEMENT FUND:

Port Revolving Fund - Payrolls \$4,925.62."

"RESOLUTION NO. 4887

RESOLUTION APPROVING AND ALLOWING  
CERTAIN CLAIMS AND DEMANDS.

RESOLVED: That the following claims and demands, having been approved by the Auditing Committee, be and the same are hereby approved and allowed by the Board of Port Commissioners and the Auditor is authorized to draw his warrant for the same out of the proper Fund:

HARBOR MAINTENANCE AND IMPROVEMENT FUND:

Heafey-Moore Co.	\$	649.02
Acme Awning & Linoleum Co.		21.11
Acme Sign Shop		2.00

Alhambra Water Company	\$ .62
American Brass & Copper Co.	.62
Andreasen & Chambers, Inc.	8.96
George Baljevich	27.46
Bay City Sanitary Rag Co.	12.12
Geo. R. Borrmann Steel Company	21.95
Brotherton, Thomas & Company	450.00
Cochran & Celli	42.57
Columbia Wood and Metal Preservative Co.	236.49
Henry Cowell Lime and Cement Co.	37.69
H. S. Crocker Company, Inc.	1.27
Dock Checkers Employers Association	98.53
East Bay Municipal Utility District	150.00
The Electric Corporation	1.64
Field-Ernst Envelope Co.	42.90
The A. J. Glesener Co.	.33
Graybar Electric Company, Inc.	9.54
Grinnell Company of the Pacific	12.54
The Hancock Oil Co. of Calif.	140.06
Hogan Lumber Company	5.87
Independent Carrier Co., Ltd.	34.00
Industrial Brownhoist Corporation	24.72
International Business Machines Corporation	17.24
E. & R. James Company	9.91
Laird's Stationery	2.47
Maxwell Wholesale Hardware Company	174.53
Albert C. Moe	88.28
National Lead Company	91.90
Oakland Plumbing Supply Co.	3.93
Pacific Tool and Supply Company	.76
Postal Telegraph-Cable Company	1.95
Richfield Oil Corporation	6.85
R. J. Roesling & Company	380.00
Royal Typewriter Company Inc.	105.12
Sanders Glass Company	42.53
San Francisco Bay Carloading Conference	5.00
The San Francisco Examiner	13.00
Sentinel Sanitary Supply Company	3.63
Shields, Harper & Co.	1.65
Signode Steel Strapping Co.	9.43
B. Simon Hardware Co.	1.11
Smith Brothers	15.06
Southern Pacific Company	2.20
Standard Oil Company of California	18.90
Clyde Sunderland	29.25
Tide Water Associated Oil Company	83.44
United Air Lines Transport Corporation	1.52
United Office Machine Company	4.79
The Western Union Telegraph Company	1.24
E. K. Wood Lumber Co.	9.09
H. G. Adam	38.05
Lee J. Immel	294.00
Powell Bros., Inc.	317.06
Port Revolving Fund - Misc.	452.35
Libby, McNeill & Libby	68.67
Postmaster, Oakland	40.00
Payrolls - Administrative Department	2,057.50
" - Airport	860.00
" - Engineering Department	2,140.87
" - Grove and Market Street Piers	1,632.83
" - Maintenance Department	3,535.82
" - Ninth Avenue Pier	709.96
" - Outer Harbor Terminal	5,336.93
" - Traffic Department	1,392.50
1925 OAKLAND HARBOR IMPROVEMENT BOND FUND:	
Calaveras Cement Company	446.75
	<hr/>
	\$22,480.08."

"RESOLUTION NO. 4888

RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING ADVERTISEMENT FOR BIDS FOR CRUSHER RUN ROCK FOR OAKLAND MUNICIPAL AIRPORT.

BE IT RESOLVED that the special plans and specifications for furnishing and delivering 32,000 tons, more or less, of crusher run rock for use on Oakland Municipal Airport, in accordance with the general specifications heretofore approved by this Board in Port Resolution No. 4605, be and the same are hereby approved; and be it further

RESOLVED that the Secretary of this Board be and he is hereby authorized to advertise for 5 consecutive days in the official newspaper for sealed proposals for the furnishing and delivery presently of 10,000 tons thereof."

"RESOLUTION NO. 4889

RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND AUTHORIZING ADVERTISEMENT FOR BIDS FOR FURNISHING LOW LIFT DRAINAGE PUMP TO OAKLAND MUNICIPAL AIRPORT.

BE IT RESOLVED that the special plans and specifications for furnishing and installing a low lift drainage pump at the Oakland Municipal Airport, in accordance with the general specifications heretofore approved by this Board in Port Resolution No. 4605, be and the same are hereby approved, and

BE IT FURTHER RESOLVED that the Secretary of this Board be and he is hereby authorized to advertise for 5 consecutive days in the official newspaper for sealed proposals therefor."

"RESOLUTION NO. 4890

RESOLUTION AUTHORIZING AND DIRECTING PORT ATTORNEY TO PROCEED TO WASHINGTON, D.C.

BE IT RESOLVED that the Port Attorney is hereby authorized and directed to proceed to Washington, D. C. for the purpose of participating in the oral argument in the Stockton-European cases (Dockets Nos. 460, 461 and 464, U.S.M.C.), and to attend to other business of the Port while in said territory.

BE IT FURTHER RESOLVED that the traveling, hotel and other incidental expenses incurred by such officer shall be paid by the City upon proper vouchers being filed."

"RESOLUTION NO. 4891

RESOLUTION APPROVING WPA PROJECT FOR THE CONSTRUCTION OF TWO PASSENGER GANGPLANKS UNDER PROJECT PROPOSAL NO. 0803-1514, WORK PROJECT NO. 8780.

BE IT RESOLVED that the plans and specifications and estimates of cost for the construction of two new passenger gangplanks, for which the Works Progress Administration has allotted funds under Project Proposal No. 0803-1514, Work Project No. 8780, at an estimated cost to the Port of \$300, be and the same are hereby approved, and the Port Manager is hereby authorized to acquire on the open market the necessary materials and equipment, and to provide supervision for said work."

"RESOLUTION NO. 4892

RESOLUTION AUTHORIZING THE SUPPLY-  
ING OF MEALS TO MONTHLY EMPLOYEES  
WHEN ENGAGED IN OVERTIME WORK.

Whereas it is frequently necessary in efficiently carry-  
ing on the administration of the port and the operation of the port  
facilities to require monthly employees who do not receive over-  
time pay to work after hours in the evening or to return for work on  
holidays or Sundays, and in order to secure the best services of  
these employees it is deemed desirable to arrange for the providing  
of meals at the expense of the port when required by employees dur-  
ing such periods of extra work, now therefore,

BE IT RESOLVED that the Port Manager be and he is hereby  
authorized to arrange, in his discretion, for the securement of meals  
for employees during the period of time for which such employees may  
be required to work at other than regular hours and to provide for the  
payment of such meals by the port department upon appropriate vouchers  
being filed therefor.

BE IT FURTHER RESOLVED that Port Resolution No. 3912 be  
and the same is hereby rescinded."

"RESOLUTION NO. 4893

RESOLUTION CONSENTING TO AGREEMENT  
BETWEEN SHELL OIL COMPANY AND HARRY  
SHAM.

BE IT RESOLVED, on request of Shell Oil Company and the  
recommendation of the Port Manager, that consent hereby is given to  
the execution of the agreement between said company and Harry Sham,  
a copy of which has been submitted to this Board, relating to the  
operation by Harry Sham of a portion of the company's gasoline and  
oil concession at Oakland Municipal Airport."

"RESOLUTION NO. 4894

RESOLUTION CONSENTING TO AGREEMENT  
BETWEEN SHELL OIL COMPANY AND C. C.  
BRAYTON, JR.

BE IT RESOLVED, on request of Shell Oil Company and the  
recommendation of the Port Manager, that consent hereby is given to  
the execution of the agreement between said company and C. C. Brayton,  
Jr., a copy of which has been submitted to this Board, relating to  
the operation by C. C. Brayton, Jr. of a portion of the company's  
gasoline and oil concession at Oakland Municipal Airport."

Port Ordinance No. \_\_\_\_\_, being "AN ORDINANCE AMENDING ITEMS  
35, 197, 198 and 495 OF PORT ORDINANCE NO. 60," was introduced and  
passed to print by the following vote:

AYES: Commissioners Fisher and Roland, and President McElroy -3-

NOES: None

ABSENT: Commissioners Colbourn and Pardee -2-

ADJOURNED.

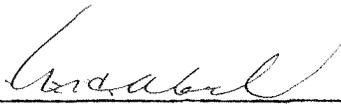
  
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S E C R E T A R Y

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

of the

PORT OF OAKLAND

At the regular meeting to be held Monday, November 28, 1938 at the hour of 3:15, there being no quorum present, the meeting adjourned to the hour of 12:00 o'clock noon of Tuesday, November 29, 1938.

  
SECRETARY

ADJOURNED MEETING OF THE BOARD OF PORT COMMISSIONERS

of the

PORT OF OAKLAND

Held on Tuesday, November 29, 1938, at the hour of 12:00 o'clock noon, due notice of such meeting having been given members of the Board.

Commissioners present: Colbourn, Fisher and Roland -3-

Commissioners absent: Pardee and President McElroy -2-

The Port Manager and Assistant Port Attorney were also present.

The minutes of the regular meeting of November 21 and November 28, 1938 were approved, as read, and adopted.

Communication from D. T. Lauer, Asst. Secretary, American Trust Company, requesting authority to pay to Libby, McNeill & Libby proceeds of coupons maturing November 15, 1938 on \$53,000 Swift & Co. Bonds and \$3000 New England Power Co. Bonds held by the bank as security for lease performance, was read and authorization granted for the payment of proceeds of bond coupons to Libby, McNeill & Libby.

Communication from the Port Manager, relative to request of Captain Henry, U. S. Army Reserve Corps, for rental quotation to be incorporated in his budget for fiscal year 1939-1940 on space now occupied at Oakland Municipal Airport and for Hangar No. 3, in the event other facilities are made available to the Naval Reserve at the Airport, was read and the Port Manager directed to advise Captain Henry that the

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BUREAU OF MARINE ENGINEERING

rental for the facilities in Hangar No. 1 for the fiscal year 1939-1940 would be \$1819.08, the same as now being paid by the Army and that if and when Hangar No. 3 would be available for the Army's use, the rental of this hangar would be \$3500.00 per year, which amount is now being paid by the Naval Reserve Unit.

Communication from P. L. Lonergan, Jr., Dock Office Clerk, requesting leave of absence for nine days on account of illness, attested to by physician, was read and resolution later passed granting the request with three-quarters pay.

Communication from May L. Palmer, Secretary to Port Manager, requesting extension of present sick leave of absence to December 31, 1938, was read and resolution later passed granting the request.

Copy of letter to Mr. Charles P. Howard, relative to his request for authorization to reconstruct Howard Terminal Pier No. 2, was filed.

The Port Manager reported as follows on the status of certain funds as of November 25, 1938:

<u>Harbor Maintenance and Improvement Fund (No. 226)</u>	
Unencumbered Cash Balance as of Nov. 25, 1938....	\$ 64,949.13
Set up in Special Funds 220 and 222.....	75,000.00
Total Unencumbered Cash in all revenue funds	
as of Nov. 25, 1938.....	139,949.13
Total Unencumbered Cash as of October 31, 1938....	98,632.26
<u>1925 Oakland Harbor Improvement Fund (No. 567)</u>	
Unencumbered Cash Balance as of Oct. 31, 1938....	167,237.13

Report of the Port Attorney, relative to Howard Terminal lease franchise agreement of November 5, 1914, as requested by the Board at its meeting of November 21, was filed.

Report of the Port Manager of November 14, relative to the proposed enlargement of the Yacht Harbor and improvement of adjoining areas in the Brooklyn Basin was given further consideration. It was the consensus of the Board that additional space should be provided at the Yacht Harbor, as shown on the plan accompanying the Port Manager's report, and that the enlargement of the Yacht Harbor should be undertaken as a Works Progress Administration project, together with the improvement of the waterfront located between the Atlas Diesel wharf and Livingston Street Pier, as shown on the plan, which work would include extension to the bulkhead line of an existing four-foot concrete sewer opposite the California Foundries leasehold. The Port Manager stated that approval had been received from the W.P.A. for the inclusion of the work in the

existing Port project No. 8780 and that the total estimated cost of the project to the Port would be \$58,200.00 and the W.P.A. contribution \$86,200.00. It was further shown that of the estimated Port cost, the amount allotted for the extension of the Yacht Harbor would be \$23,000.00. A resolution was later passed, authorizing the carrying out of the work as a W.P.A. project and that in the event that Federal funds were not available for the project, the Board would not be obligated to carry out the plan as set forth in the Port Manager's report to completion. The Port Manager was directed to advise Dr. Newell, representing the Oakland Yacht Club, that the Board would undertake the enlargement of the Yacht Harbor under these conditions and that when the enlargement of the Yacht Harbor is completed, the rental for the Yacht Harbor facilities would be increased to \$250.00 per month, as stated by Dr. Newell.

The Port Manager reported that he, as directed, had informed Mr. Walter Frickstad, City Engineer, as to the Board's attitude in respect to the right-of-way for the proposed East Shore Highway through the Brooklyn Basin area, as discussed by the Board at a previous meeting, and that he had requested to be notified as to further conferences to be held with the State Highway officials, so that the Board could be represented. He further reported that Mr. Frickstad had stated that he would report the Board's wishes in the matter to City Manager J. F. Hassler. The Port Manager stated that no further advice had been received from either Mr. Hassler or Mr. Frickstad in respect to this matter.

The Assistant Port Attorney reported that argument was held in the Hogan Lumber Company case before Judge Ogden on November 23 and that he had just received notice that demurrer was sustained.

It was reported that the Port Attorney had, as directed, proceeded to Washington, D. C. for the oral arguments in the Stockton case, to be held before the Maritime Commission on November 30 and that he would check up on several important matters and Public Works Administration projects while in Washington. Communication in respect to the Port Attorney's trip to Washington was filed.

It was reported that the United Air Lines' transport from Seattle had crashed in Drake's Bay in the early morning of November 29 and that five lives had been lost; further, that a careful investigation was being made by the Civil Aeronautics Authority as to the cause of the accident.

The Board's attention was called to the request of Chairman Land of the Maritime Commission for conference with Mr. Joseph Moore of the

Moore Dry Dock Company in Washington, relative to proposed construction of vessels for the Federal Government at Oakland shipbuilding plants and that Mr. Moore was proceeding to Washington for this conference.

A slight accident was reported to the United Air Lines' transport plane while landing at Oakland Municipal Airport on November 27, due to defective landing mechanism of the plane and that very slight damage was done to the new runway by this accident.

Invitation issued by the American President Lines to a dinner, to be held at the Palace Hotel, San Francisco, on December 7, was accepted.

The report of the Auditing Committee on claims and demands was adopted.

The following resolutions were introduced and passed by the following vote:

AYES: Commissioners Colbourn, Fisher and Roland -3-  
NOES: None  
ABSENT: Commissioner Pardee and President McElroy -2-

"RESOLUTION NO. 4895

RESOLUTION APPROVING AND ALLOWING  
CERTAIN CLAIMS AND DEMANDS.

RESOLVED: That the following claims and demands, having been approved by the Auditing Committee, be and the same are hereby approved and allowed by the Board of Port Commissioners and the Auditor is authorized to draw his warrant for the same out of the proper Fund:

LEASED WHARF IMPROVEMENT FUND:		
Howard Terminal	\$	5,138.84
HARBOR MAINTENANCE AND IMPROVEMENT FUND:		
American Brass & Copper Co.		1.35
Baker, Hamilton & Pacific Company		1.50
Bay City Sanitary Rag Co.		6.06
Geo. R. Borrmann Steel Company		63.89
Calaveras Cement Company		286.08
California Concrete Products Co.		52.92
California Pottery Company		46.02
Chase & Teddy, Ltd.		25.16
Cochran & Celli		8.63
M. L. Cohen Co.		4.64
Henry Cowell Lime and Cement Co.		24.78
Colyear Motor Sales Company		7.69
DuFrane Machine & Engine Works, Inc.		4.50
East Bay Glass Company		4.98
East Bay Municipal Utility District		529.89
East Oakland Auto Top Shop		4.00
Eastman Kodak Stores, Inc.		14.36
Firestone Auto Supply & Service Stores		13.12
W. P. Fuller & Co.		2.18
General Electric Supply Corporation		9.20
General Petroleum Corporation of California		22.10
Gilson Electrical Supply Co.		.97
The A. J. Glesener Co.		8.08
Greenwood Printers Ltd.		90.77
H. & M. C. Co.		6.70
The Hancock Oil Co. of Calif.		157.38
F. B. Hansen		556.20
Homelite Corporation		3.70

Illumination Products Company	\$	6.31
Independent Carrier Co., Ltd.		29.00
Industrial Home for the Adult Blind		.31
Ingersoll-Rand Company		30.39
Ed. Jones & Co.		7.35
Lawton & Williams		56.54
Link-Belt Company		15.95
The Marine Exchange of the San Francisco Chamber of Commerce		10.00
C. W. Marwedel		7.47
Maxwell Wholesale Hardware Company		71.51
Melrose Lumber & Supply Co.		10.29
Minneapolis-Honeywell Regulator Company		1.29
Albert C. Moe		193.08
Chas. R. Mulgrew		7.73
Oakland Air Port Transportation Service		200.00
Oakland Chamber of Commerce		60.00
Pacific Gas and Electric Corporation		1,192.35
Pacific Marine Review		40.00
Pacific Shipper		85.00
The Pacific Telephone and Telegraph Company		227.81
Pacific Tool and Supply Company		2.51
Pope & Talbot Lumber Co.		883.48
Railway Express Agency, Inc.		4.93
Rhodes & Kennedy, Inc.		9.00
Geo. M. Robinson & Company		215.00
Karl Sandell		17.50
San Francisco Commercial Club		27.37
H.G. Scovern & Co.		6.00
Smith Brothers		20.05
Standard Oil Company of California		57.24
Clyde Sunderland		20.60
Tide Water Associated Oil Company		18.48
Transit Concrete		37.54
The Tribune Press		6.70
The Tribune Publishing Co.		111.52
Underwood Elliott Fisher Company		11.50
Union Paper Company		22.11
U. S. Coast and Geodetic Survey		1.00
Western Auto Supply Company		1.19
Western Scenic Studio		154.50
White Investment Company		50.00
Wholesale Lumber Distributors, Inc.		22.75
E. K. Wood Lumber Co.		965.05
Zellerbach Paper Company		11.31
Libby, McNeill & Libby		2.58
1925 OAKLAND HARBOR IMPROVEMENT BOND FUND:		
Calaveras Cement Company		446.75
L. M. Clough Company		4,207.50
		<u>\$16,682.23."</u>

"RESOLUTION NO. 4896

RESOLUTION GRANTING LEAVE OF  
ABSENCE WITH PAY TO PIERCE T.  
LOMERGAN, JR.

BE IT RESOLVED that Pierce T. Lonergan, Jr., Dock Office Clerk, (Port Ordinance No. 222, Section 8.09), is hereby granted a leave of absence on account of illness, said leave to be for 9 consecutive days commencing November 22, 1938, with compensation at the rate of 75% of the salary payable such employe, as provided by the rules of the Civil Service Board."

"RESOLUTION NO. 4897

RESOLUTION EXTENDING LEAVE  
OF ABSENCE HERETOFORE GRANTED  
MAY L. PALMER ON ACCOUNT OF  
ILLNESS.

RESOLVED that the leave of absence heretofore granted May L. Palmer, Secretary to the Port Manager, (Port Ordinance No. 222, Section 2.05) by Resolution No. 4797 of this Board is hereby extended

for a further period of 32 days commencing November 30, 1938 on account of the continued illness of said employe, said leave to be without pay."

"RESOLUTION NO. 4898

RESOLUTION APPROVING WPA PROJECT FOR  
EXTENSION OF YACHT HARBOR AND RELATED  
IMPROVEMENTS UNDER PROJECT PROPOSAL  
NO. 0803-1514, WORK PROJECT NO. 8780.

BE IT RESOLVED that the plans and specifications and the estimates of cost for the extension of the Yacht Harbor, the extension of 22nd Avenue sewer to the United States Bulkhead Line, the construction of a concrete bulkhead wall at the inner end of the north slip at Livingston Street Pier and the construction of a rock dike, including dredging and backfill, for which the Works Progress Administration has allotted funds under Project Proposal No.0803-1514, Work Project No. 8780, at an estimated cost to the Port of \$58,200.00, be and the same are hereby approved, but only on the condition such improvements can be made as part of such Works Administration Project; and be it further

RESOLVED that the Port Manager is hereby authorized to purchase on the open market any item of materials or equipment necessary therefor that costs less than \$1000.00."

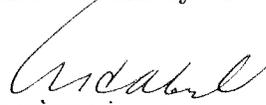
Port Ordinance No. 294 being "AN ORDINANCE AMENDING ITEMS 35, 197, 198 and 495 OF PORT ORDINANCE NO. 60," having been duly introduced, read and published, was finally adopted by the following vote:

AYES: Commissioners Colbourn, Fisher and Roland -3-

NOES: None

ABSENT: Commissioner Pardee and President McElroy -2-

ADJOURNED.

  
SECRETARY

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

of the

PORT OF OAKLAND

Held on Monday, December 5, 1938, at the hour of 3:15 o'clock p.m., due written notice of such meeting having been given members of the Board.

Commissioners present: Colbourn, Fisher, Roland and President  
McElroy -4-

Commissioner absent: Pardee -1-

The Port Manager, Assistant Chief Engineer and Assistant Port

The minutes of the adjourned meeting of November 29, 1938 were approved, as read, and adopted.

Communication from the Oakland Real Estate Board, requesting the placing of a Port exhibit in its National Housing Exposition, to be held January 20-29, 1939, was read. Mr. Porter Giles, Secretary, Oakland Real Estate Board and Mr. McDonald, Manager of the Housing Exposition, met with the Board and explained their proposal. Mr. McDonald offered to provide space for the Port exhibit for \$200.00 and stated they expected an attendance of 100,000 at the Exposition, which is to be held in the Municipal Exposition Building. Commissioner Colbourn spoke of the many requests for funds for like purposes, which are made to the Board, and referred to the establishing of a precedent for future requests of like character which might be made. It was stated that inasmuch as large amounts of building materials were being handled over the Port's facilities, a definite relation existed which might differentiate this request from others. After further discussion, President McElroy advised Messrs. Giles and McDonald that the Board would give further consideration to their request and would advise them of its decision.

Telegram from Port Attorney at Washington, D.C., advising all members of Maritime Commission hearing of Stockton case and that much interest had been shown in oral arguments presented by Bay Ports and steamship companies, was filed.

Telegram from the Port Attorney, Washington, D.C., advising of the possibility of the Public Works Administration grant for the Navy hangar at Oakland Municipal Airport, was filed.

Communication from the Port Attorney, reviewing his activities in Washington, while attending oral arguments in the Stockton case before the Maritime Commission, was filed.

Communication from Harry Tripp, General Chairman, Armistice Day Celebration, thanking the Board for its cooperation in respect to arranging for berthing of cruisers LOUISVILLE and CHESTER at Grove Street Terminal during celebration, was filed.

Communication from Congressman Albert E. Carter, advising he has wired Public Works Administration in respect to PWA improvements at Oakland Municipal Airport, was filed.

Communication from the Port Manager, recommending payment of injury compensation cases and medical treatment of port employees as they occur during the year, was read and following discussion, the recommenda-

tion was adopted.

Port Manager's Certificate of Completion of contract with Heafey-Moore Co. for furnishing and delivering macadam rock and screenings for oil macadam pavement to Oakland Municipal Airport, was filed.

Port Manager's Certificate of Completion of contract with Acme Transportation, Inc., for furnishing and spreading asphaltic binder for oil macadam pavement at Oakland Municipal Airport, was filed.

Copy of Port Manager's letter to San Francisco Airport, suggesting mutual cooperation in handling airplane traffic in case of power failure at either airport, together with reply from San Francisco agreeing to cooperate, were filed and the Board approved of the arrangements made, which would insure safety of aircraft in case of airport power failure.

Communication from the Port Manager, relative to proposed roadway at Sunset Lumber Company leasehold which ultimately will become a part of embarcadero, was read and the Port Manager directed to advise Mr. Sidney Hauptman, Receiver for Charles Nelson Steamship Company, that the Board would be willing to agree to the cancellation of the Sunset Lumber Company lease, provided a right-of-way across its property adjoining the Southern Pacific Company's right-of-way, as shown on the map accompanying the communication, be deeded to the City for road purposes, which road would ultimately become a part of the waterfront embarcadero.

Communication from P. T. Lonergan, Dock Clerk, requesting eight days' extension of leave of absence, commencing December 1, 1938, on account of illness, attested to by physician, was read and resolution later passed granting leave of absence as requested, with three-quarters pay, in accordance with Civil Service regulations.

City Manager Hassler's report of affairs of the City during October, 1938, was filed.

Railroad Commission of the State of California Decision No. 31491, authorizing Board of Port Commissioners to construct 19th Avenue at grade across spur tracks between Livingston Street and Dennison Street, was filed.

The Port Manager reported as follows on the status of certain funds as of December 2, 1938:

<u>Harbor Maintenance and Improvement Fund (No. 226)</u>	
Unencumbered Cash Balance as of Dec. 2, 1938.....	\$ 51,779.83
Set up in Special Funds 220 and 222.....	75,000.00
Total Unencumbered Cash in all revenue funds	
as of Nov. 30, 1938.....	126,779.83
Total Unencumbered Cash as of Oct. 31, 1938.....	98,632.26

1925 Oakland Harbor Improvement Fund(No. 567)

Cash Balance as of Dec. 2, 1938 .....\$167,237.13

Report of the Port Manager on the Port's progress during the month of November, 1938, was filed.

Report of the Oakland Airport Transportation Service for the month of October, showing a loss of \$40.41, was filed.

Report of the Port Manager, submitting statistics on tonnage handled through the Port during the month of October, 1938, was filed.

Report of the Port Manager, on operations of the Oakland Municipal Airport for the month of November, showing an average storage of 107.5 planes, was filed.

The Board's attention was called to copy of notice to the Bay Bridge Rod & Gun Club, advising of Board's intention not to renew agreement for use of Sand Island opposite Bay Bridge Toll Plaza upon expiration of the present agreement, which expires on December 31, 1938. Mr. Michaels, Attorney representing the Bay Bridge Rod & Gun Club, met with the Board and requested reconsideration of the Board's action in terminating license agreement on the Sand Island north of the Bay Bridge Toll plaza. Mr. Michaels stated that the Club had about eighty-four members and that there were about twenty-four cabins on the island used by the members. He stated that the club would agree to paint all their structures, as called for by the agreement, and would furnish the Board with a key to the gate at the entrance to the island, one of the requirements of the agreement which has not been fulfilled. Mr. Michaels invited the Board to visit the island and inspect the club's facilities and activities. President McElroy advised Mr. Michaels that a representative of the Board would visit the island and that further consideration would be given to his request.

The Port Manager stated that City Manager Hassler had requested the Board members to again meet with him and representatives of the Chamber of Commerce and the Downtown Property Owners Association at 2:00 p.m., Wednesday, December 7, for further discussion of his previous request that the Board agree to provide the necessary right-of-way for the East Shore Highway through the Brooklyn Basin area. The Board reviewed its position previously taken, in respect to Mr. Hassler's request, and directed the Port Manager to advise Mr. Hassler that it would meet with him as requested.

In respect to the ferryboat "Golden Gate," the Assistant Port Attorney reported that all defendants had been served except Allen Lamb,

that the summons was in the hands of the Los Angeles sheriff for certificate to the effect that defendant cannot be found, that affidavit and order for publication of summons had been prepared and would be presented upon receipt of the sheriff's return.

The Assistant Port Attorney stated that draft of proposed stipulation of facts in the El Dorado Terminal Company proceedings had been forwarded to Messrs. Williamson & Wallace, its attorneys.

Notice of termination of tenancy of building adjoining the Yacht Harbor, served on P. Swanson, effective December 31, 1938, to clear way for Yacht Harbor extension, was filed. In this connection, the Port Manager stated that Mr. Swanson has been occupying the building on a month to month basis since September 28, 1937 and that he had previously been given verbal notice that the structure might be razed in the event that the extension of the Yacht Harbor, which was then under consideration by the Board, was undertaken.

The Assistant Port Attorney stated that the expiration of time for filing suit against the American Dredging Company for past due rent will be December 31, 1938, and that a resolution authorizing suit will be presented at the next meeting for the Board's action.

The Port Manager reported that during November a total of fifteen transport schedules did not use San Francisco Airport due to low ceiling and cross winds and that all schedules were completed at the Oakland Airport.

Attention of the Board was called to press reports that Mayor LaGuardia of New York had signed up Transcontinental & Western Air, American Airlines and United Air Lines to contracts for hangar space at New York's new North Beach Airport in Queens; that the American Airlines will pay \$125,000 per annum for three hangars, T.W.A. \$53,000 for two hangars, and United \$35,000 for one hangar; and that the airport will cost \$28,600,000 and has an area of 550 acres with six hangars. It was noted that Oakland Airport has 895 acres, five hangars and has cost, with land purchase, \$2,271,320.83.

The Port Manager stated that San Leandro is planning for a light draft harbor at the foot of Davis Street in San Leandro and is asking for a public hearing before the U. S. Engineers.

The Port Manager stated that good results have come from the plea of the Oakland Foreign Trade and Harbor Club to importers and exporters to use Oakland Customs House and Appraisers Store and that a marked increase

in custom house business has resulted.

The attention of the Board was called to the hearing to be held at the Courthouse on December 6 by the Civil Aeronautics Authority in respect to the United Air Lines transport accident in Drake's Bay on November 29, which resulted in the death of five persons. The Assistant Port Attorney stated he would attend the hearing.

The reports of the Auditing Committee on claims and demands, and on weekly payrolls, were adopted.

The following resolution was introduced and passed by the following vote:

AYES: Commissioners Colbourn, Fisher and President McElroy -3-

NOES: None

ABSENT: Commissioner Fardee -1-

NOT VOTING: Commissioner Roland -1-

"RESOLUTION NO. 4899

RESOLUTION APPROVING AND ALLOWING CERTAIN CLAIMS AND DEMANDS.

RESOLVED: That the following claims and demands, having been approved by the Auditing Committee, be and the same are hereby approved and allowed by the Board of Port Commissioners and the Auditor is authorized to draw his warrant for the same out of the proper Fund:

HARBOR MAINTENANCE AND IMPROVEMENT FUND:	
Acme Awning & Linoleum Co.	\$17.25
Air Reduction Sales Co.	15.34
Baker, Hamilton & Pacific Company	19.93
Sam Bates Company	175.00
The Bay Cities Transportation Co.	6.72
Bay City Sanitary Rag Co.	6.06
Blake, Moffitt & Towne	28.26
Boeing School of Aeronautics	10.00
California Concrete Products Co.	52.92
California Pottery Company	3.61
L. M. Clough Co.	814.81
Cochran & Celli	6.63
Henry Cowell Lime and Cement Co.	30.71
Dufrane Machine & Engine Works, Inc.	13.55
East Oakland Auto Top Shop	5.00
The Electric Corporation	4.06
The A. J. Glesener Co.	.74
Grinnell Company of the Pacific	1.81
The Hancock Oil Co. of Calif.	143.96
Hogan Lumber Company	1.14
Industrial Home for the Adult Blind	13.60
Inter-Coastal Paint Corporation	8.67
The International Press	15.45
Kling-Dawers Stationery Co., Inc.	2.33
Laird's Stationery	1.52
The A. Lietz Company	1.39
Melrose Lumber & Supply Co.	1.97
National Lead Company	110.07
Oakland Association of Insurance Agents	12.93
Oakland Battery Co.	8.62
Oakland Plumbing Supply Co.	14.90
Pabco Paint Store	179.67
Pacific Dry Dock & Repair Co.	917.35
Phoenix Iron Works	30.90

Joseph Pierotti & Co.	\$ 4.14
Planett Manufacturing Company	61.50
Prescott Iron Works, Inc.	8.25
Ransome Company	295.96
Richfield Oil Corporation	16.92
John A. Roebling's Sons Company of California	8.08
Sentinel Sanitary Supply Company	24.51
B. Simon Hardware Co.	10.69
Smith Brothers	4.55
Standard Wiping Rag Company	6.63
E. C. Wenger Company	35.85
Western Flying	2.00
Wholesale Lumber Distributors, Inc.	7.00
E. K. Wood Lumber Co.	5.41
Powell Bros., Inc.	386.76
Ira G. Perin	4,453.72
Southern Pacific Company	13.00
Geo. A. Attwood	23.92
Geo. H. Nash	49.00
J. S. Saunders	10.05
Harold Wiltermood	33.26
Port Revolving Fund - Misc.	955.10
J. G. Bastow	38.03
Thos. H. Moore	22.82
Postmaster, Oakland	127.86
Payrolls - Administrative Department	2,057.50
" " - Airport	860.00
" " - Engineering Department	2,135.38
" " - Grove and Market Street Piers	1,541.18
" " - Maintenance Department	3,296.47
" " - Ninth Avenue Pier	720.51
" " - Outer Harbor Terminal	5,041.23
" " - Traffic Department	1,392.50

1925 OAKLAND HARBOR IMPROVEMENT BOND FUND:

Acme Transportation, Inc.	3,274.61
Heafey-Moore Company	155.03

\$29,756.29"

The following resolutions were introduced and passed by the following vote:

AYES:	Commissioners Colbourn, Fisher, Roland and President McElroy	-4-
NOES:	None	
ABSENT:	Commissioner Pardee	-1-

RESOLUTION NO. 4900

RESOLUTION APPROVING WEEKLY PAYROLLS,  
RATIFYING ALL HIRINGS AND EMPLOYMENTS  
THEREIN AND REIMBURSING PORT REVOLVING  
FUND.

BE IT RESOLVED that the weekly payrolls for the weeks ending November 22 and November 29, 1938 be and the same are hereby approved and the hiring or employment of each and all of the services therein set forth at the compensations therein paid is hereby ratified, confirmed and approved, and

BE IT FURTHER RESOLVED that the demand against the Harbor Maintenance and Improvement Fund for the reimbursement of the Port Revolving Fund in the amount set forth therein, having been approved by the Auditing Committee, is hereby approved and allowed, and the City Auditor be and he is hereby authorized and directed to draw his warrant for the same and make such reimbursement.

HARBOR MAINTENANCE AND IMPROVEMENT FUND:

Port Revolving Fund Payrolls	\$2,152.00."
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"RESOLUTION NO. 4901

RESOLUTION ACCEPTING CONTRACT  
WITH HEAFEY-MOORE CO., A COR-  
PORATION.

Whereas, Heafey-Moore Co., a corporation, has faithfully performed all the terms and conditions of and has completed that certain contract with the Port, dated August 23, 1938, for the furnishing and delivering of macadam rock and screenings for oil macadam pavement to Oakland Municipal Airport, now therefore, be it

RESOLVED that said contract be and it is hereby accepted; and be it further

RESOLVED that all actions taken and orders issued by the Port Manager and Chief Engineer in connection with the performance of said contract be and the same are hereby ratified, confirmed and approved."

"RESOLUTION NO. 4902

RESOLUTION ACCEPTING CONTRACT  
WITH ACME TRANSPORTATION INC.,  
A CORPORATION.

Whereas, Acme Transportation, Inc., a corporation, has faithfully performed all the terms and conditions of and has completed that certain contract with the Port, dated August 23, 1938, for the furnishing and spreading of asphaltic binder for oil macadam pavement at Oakland Municipal Airport, now therefore, be it

RESOLVED that said contract be and it is hereby accepted; and be it further

RESOLVED that all actions taken and orders issued by the Port Manager and Chief Engineer in connection with the performance of said contract be and the same are hereby ratified, confirmed and approved."

"RESOLUTION NO. 4903

RESOLUTION EXTENDING TIME  
FOR PERFORMANCE OF CONTRACT  
WITH SAM C. BATES, JR., DOING  
BUSINESS AS SAM BATES COMPANY.

RESOLVED that the time for the performance of the contract with Sam C. Bates, Jr., doing business as Sam Bates Company, for the furnishing, on a rental basis, of one air compressor for use at Livingston Street Pier, Oakland, be and the same is hereby extended to and including January 30, 1939."

"RESOLUTION NO. 4904

RESOLUTION EXTENDING LEAVE  
OF ABSENCE HERETOFORE GRANTED  
PIERCE T. LONERGAN, DOCK OFFICE  
CLERK.

BE IT RESOLVED that the leave of absence heretofore granted Pierce T. Lonergan, Jr., Dock Office Clerk (Port Ordinance No. 222, Section 8.09), by Resolution 4896 of this Board, be and the same is hereby extended for a period of 8 consecutive days commencing December 1, 1938, because of the continued illness of said employee; said leave to be with compensation at the rate of 75% of the salary payable such employee, as provided by the rules of the Civil Service Board."

"RESOLUTION NO. 4905

RESOLUTION AUTHORIZING LICENSE  
AGREEMENT WITH ALBERT C. MOE.

BE IT RESOLVED that the Port Manager be and he hereby is authorized to enter into an agreement with Albert C. Moe, as Licensee, providing for the occupancy by Licensee of an area of 30,470 square feet in the 9th Avenue Industrial Area for a period of one year commencing December 1, 1938 at a monthly rental of \$50.00, and that such agreement shall be on the general form of license agreement customarily used by this Board; and be it further

RESOLVED that such agreement shall authorize Licensee to use the Port's locomotive crane, when convenient to the Port, and pay therefor an additional sum at the rate of \$2.00 per hour for such use, Licensee to pay the operator thereof, carry adequate workmen's compensation insurance and to hold the Port harmless from all liability or loss connected with said crane while so in Licensee's use."

Pursuant to Resolution No. 4888 and advertising for five consecutive days in the city's official newspaper, bids for Furnishing and Delivering Ten Thousand Tons, more or less, of Crusher Run Rock to Oakland Municipal Airport were received between the hours of 3:15 and 4:15 p.m. At the hour of 4:15 p.m., the following bids, being all the bids received, were publicly opened:

BIDS FOR  
FURNISHING AND DELIVERING 10,000 TONS, MORE OR LESS,  
CRUSHER RUN ROCK TO OAKLAND MUNICIPAL AIRPORT.

<u>Bidder</u>	<u>Per Ton</u>	<u>Total Bid</u>	<u>Certified Check</u>
Raymond Giaccone	\$1.05	\$10,500.00	\$1,075.00
J. Catucci	0.96	9,600.00	960.00
Heafey-Moore Co.	0.888	8,880.00	900.00

These bids were referred to the Port Attorney as to legality and the Port Manager for recommendation as to acceptance of the bids.

ADJOURNED.

  
SECRETARY

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS  
of the  
PORT OF OAKLAND

Held on Monday, December 12, 1938, at the hour of 3:15 o'clock p.m., due written notice of such meeting having been given members of the Board.

Commissioners present: Colbourn, Fisher, Roland and President McElroy -4-

Commissioner absent: Pardee -1-

The Port Manager, Port Attorney and Assistant Chief Engineer were also present.

The minutes of the regular meeting of December 5, 1938 were approved, as read, and adopted.

Communication from Colonel Arthur Ayres, Airport Engineer, Civil Aeronautics Authority, enclosing Certificate of Air Navigation Facility Necessity No. 85, approving project for Administration Building at Oakland Municipal Airport, was filed.

Communication from the Port Manager, submitting proposed changes in Port Tariff Ordinance No. 60, adding items for loading copra in box cars with pneumatic machinery and for scaling of railroad cars and issuance of weighmaster's certificates, was read and ordinance later introduced and passed to print, amending Ordinance No. 60.

Communication from Thomas G. Michaels, Attorney representing Bay Bridge Rod and Gun Club, requesting that the lease on Sand Island be renewed for the year 1939 on same terms and conditions as present lease and agreeing to painting of cabins, was read and after discussion, it was the consensus of the Board that its previous decision not to renew the agreement with the Bay Bridge Rod and Gun Club and that the notice to this effect, which has already been given the Club under date of November 29, 1938, should stand.

Communication from Leslie J. Freeman, Secretary San Leandro Chamber of Commerce, advising they are very anxious to see a yacht harbor developed in San Leandro Bay and reporting that Colonel Dorst, U. S. District Engineer, may hold a hearing on the matter, was filed.

Communication from N. W. Armstrong, Secretary Alameda County Development Commission, urging removal of ferryboat "Golden Gate" and requesting information relative to Bay Bridge Rod and Gun Club, was read. The Port Manager stated that he had advised Mr. Armstrong that the Board was doing everything in its power to cause the removal of the ferryboat, and that he had supplied information requested in respect to the Rod and Gun Club's occupancy of Sand Island.

Communication from Duck Air Services, advising that the expansion of their activities requires more hangar space and requesting to be advised if additional space can be made available, was read and the Port Manager was directed to advise Duck Air Services that its application would be given consideration when space at the Airport became available.

Copy of letter from Port Manager to Sidney M. Hauptman, Trustee Charles Nelson Company, setting forth conditions under which cancellation of Sunset Lumber Company lease would be agreeable to the Board, was filed.

The Port Manager reported as follows on the status of certain funds as of December 9, 1938:

<u>Harbor Maintenance and Improvement Fund (No.226)</u>	
Unencumbered Cash Balance as of Dec. 9, 1938.....	\$82,310.49
Set up in Special Funds 220 and 222 .....	75,000.00
Total Unencumbered Cash in all revenue funds	
as of Dec. 9, 1938 .....	158,310.49
Total Unencumbered Cash as of Nov. 30, 1938.....	130,480.35
<u>1925 Oakland Harbor Improvement Fund (No. 567)</u>	
Cash Balance as of Dec. 9, 1938.....	164,308.93

Comparative report of Fund No. 226, submitted by the Port Manager, as of the close of November, 1938, compared with October, 1938 and November, 1937, prepared by the Chief Port Accountant, showing increase in total earned revenue and total fund resources, was filed.

Report of the Port Manager, relative to proposal of L. G. Pollard and Frank Nervino for construction of a leanto on Hangar No. 4 at the Oakland Municipal Airport, was read. Mr. Pollard appeared before the Board in behalf of his application and was advised that the Board had under contemplation certain plans for the use of Hangar No. 4-A, which would not permit assignment of space for a leanto at this time, but that his application would be kept on file for further consideration when space may become available.

The Port Manager reported he had, as directed, conferred with Mr. Porter Giles of the Oakland Real Estate Board in respect to its request for a Port Exhibit at the forthcoming Oakland National Housing Exposition and had advised him the Board would be willing to exhibit its model at the Exposition, but did not feel that it could obligate itself to rent exhibit space in the amount of \$200.00, but that if they desired the model for the Exposition, the Board would be willing to assume the expense of placing the exhibit and make a nominal contribution therefor. He further stated that Mr. Giles had not indicated if this arrangement would meet their approval. Following the report, the Board directed the Port Manager to advise the exposition officials that it will be willing to assume the cost of placing the Port Model on exhibition and contribute \$25.00 for space occupied.

Report of the Port Manager, submitting statement relative to open market purchases, was filed.

Mr. Charles Howard, President of Howard Terminal, and Mr. Peter Howard, met with the Board and requested a renewal of the Howard Terminal

Lease No. 1. Mr. Howard reviewed the past history of the lease, which was entered into with the City Council on October 24, 1914, for a period of 35 years and which he had expected would continue to its expiration in October, 1949, but that due to the question having been raised by the Port Attorney as to the validity of the lease after the expiration, in December of 1939, of the 25-year period set forth in the City Charter at the time the lease was granted and after consulting with his attorney, Mr. Charles Beardsley, who had discussed the matter with the Port Attorney, he had concluded that, inasmuch as they are planning a heavy investment in the rehabilitation of Pier No. 2, which he desired to protect, it would be desirable and necessary to seek a renewal of the existing lease at this time. Mr. Howard stated that he desired a 25-year lease on the same terms and conditions as are set forth in the present lease No. 1. He informed the Board that the reconstruction of Pier No. 2, for which application and plans had already been filed with the Board, would cost about \$105,000 with an additional \$15,000 for tracks and gantry crane which would be equipment and not subject to reimbursement from dockage and tolls, making a total investment of \$120,000.00. He estimated that it would take about two years to reimburse the Board for the investment to be made on Port property and that this reimbursement would come from its 20% of dockage and tolls accruing under the lease after the initial 5% payment had been made to the Board.

After further discussion, President McElroy advised Mr. Howard that the Board would give his request careful consideration and the Port Manager was directed to present a report on the matter.

In respect to the ferryboat "Golden Gate", the Port Attorney stated that demurrer of Estate of Sol Uri was overruled and that Attorney Joel had reported on efforts being made to dispose of the boat and inquired as to whether the Port would take it over and dismantle it if they could furnish a proper deed to the boat. The Port Manager stated he had called Mr. R.C. Porter, who had, in July, 1938, filed an offer to remove the boat without cost to the Board if a sufficient deed could be furnished him, and that Mr. Porter stated he would again examine the boat and confer with him. The Assistant Chief Engineer stated he had talked with Mr. Walter Koetitz, in charge of Works Progress Administration activities in Alameda County, and that Mr. Koetitz said the dismantling work could be included in the existing general waterfront project and that the wrecking under the WPA project would probably cost the Port between \$500.00 and \$1000.00.

Communication from Conference on State Defense, requesting the Board to cooperate in securing poll of members of Congress on Federal taxation issues, was read and the Port Attorney was directed to cooperate with the Conference in the matter.

The Port Attorney reported that William S. Wells, Attorney, had advised him that the Estate of Manuel Matoza will grant additional land for construction of proposed road project leading from Davis Street along the north side of Oakland Municipal Airport.

It was reported that the Civil Aeronautics Authority held a three-day hearing in the Courthouse on the crash of the United Airliner opposite Point Reyes on November 29, the legal staff having attended; that no evidence had been submitted involving the Port, but that the United Air Lines had been criticized for inefficient methods, and that new Federal regulation will result from this accident.

Communication from Libby, McNeill & Libby, formally disclaiming liability to the Port for expenses incurred in the fire sprinkler accident, but presenting no claim on its own behalf, was filed.

The Port Attorney reported that Mr. Thomas Ledwich had advised of proposal to file disclaimer in the American Dredging Company condemnation case and allow the Port to take judgment.

The Port Attorney stated that the Supreme Court of the United States now holds that the State Belt Line Railway in San Francisco is subject to control of Congress and that the State must make certain contributions to the Government covering social security payments.

The Port Attorney verbally reported on his recent trip to Washington, D. C. to present oral argument before the Maritime Commission in the Stockton rate case. Resume of his report was as follows:

1. Stockton rate case argued and submitted; much interest shown in arguments.
2. Navy officials confident of early approval of Naval Supply Depot by Congress. Project to be handled by Administration leaders.
3. PWA authorities indicate possibility of funds being made available for Naval Reserve hangar at Airport. Naval Reserve officials and Civil Aeronautics Authorities cooperating.
4. War Department unadvised as to purposes of deepening San Leandro Bay. House Committee on Rivers and Harbors acted on request from Congressman Carter.
5. Maritime Commission, with aid of Coast Guard, contemplates establishing School for Seamen on Government Island, or somewhere in this locality. Officials interested in possible use of Port lands.

6. Washington attorneys representing Conference on State Defense fear Federal taxation on municipal projects inevitable.
7. Washington attorney for New York Port Authority anticipates submerged tideland issue will become important issue at forthcoming session of Congress.
8. War Department Engineers and others advised of dangers of encouraging new port projects such as Redwood City, South San Francisco, etc.
9. He conferred with associates of W. S. Culbertson on various matters pertaining to the Port.
10. He stated that he had been requested to serve as member of Aviation, Shipping and Radio Committee of the American Bar Association and that he had accepted the appointment.

The Port Manager stated that a small fire occurred on Sunday morning, December 11, at the outer end of Market Street Pier, due apparently to cigarette smoking by itinerant and that the automatic sprinkler system had extinguished the blaze with damage estimated at about \$50.00, fully covered by insurance.

The Port Manager reported that approximately 1,000 tons of bulk copra had been unloaded from the SS GYOKO MARU at Seventh Street Unit, Outer Harbor Terminal, on December 8 and 9 in record time, causing much favorable comment by shippers of this product. Copra was handled by blowers into hoppers and then into dump truck and railroad cars. New business is anticipated to follow this demonstration. Port of Oakland is now listed on Associated Steamship Lines' tariff as port of discharge of freight from Philippine Islands.

From press reports it was noted that Patrick W. Meherin, President State Harbor Board, had announced that they are working on a plan to transform the Ferry Building into a Union Terminal Building where all passenger vessels would dock and discharge or load passengers and baggage.

Memorandum regarding conference held in the City Manager's office on December 7, relative to the East Shore Highway, was filed.

Report of the Auditing Committee on claims and demands was adopted.

The following resolutions were introduced and passed by the following vote:

AYES: Commissioners Colbourn, Fisher and President McElroy -3-  
 NOES: None  
 ABSENT: Commissioner Pardee -1-  
 NOT VOTING: Commissioner Roland -1-

"RESOLUTION NO. 4906

RESOLUTION APPROVING AND ALLOWING  
CERTAIN CLAIMS AND DEMANDS.

RESOLVED: That the following claims and demands, having been approved by the Auditing Committee, be and the same are hereby approved and allowed by the Board of Port Commissioners and the Auditor is authorized to draw his warrant for the same out of the proper Fund:

HARBOR MAINTENANCE AND IMPROVEMENT FUND:

Acme Transportation, Inc.	\$ 145.31
American Bitumuls Company	14.16
American Brass & Copper Co.	4.04
Automotive Service Co.	3.37
Baker, Hamilton & Pacific Company	13.63
Bay City Sanitary Rag Co.	6.06
Blake, Moffitt & Towne	4.19
Geo. R. Borrmann Steel Company	46.09
The Buckeye Ribbon & Carbon Co.	6.31
California Pottery Company	90.68
The California Wire Cloth Corporation	46.48
City of Oakland, City Hall	546.71
Cochran & Celli	2.50
Columbia Wood and Metal Preservative Co.	45.32
Colyear Motor Sales Company	3.02
Henry Cowell Lime and Cement Co.	20.19
Frank W. Dunne Co.	128.40
East Bay Blue Print & Supply Co.	82.44
East Bay Glass Company	13.53
East Bay Municipal Utility District	17.40
East Oakland Auto Top Shop	6.00
The Electric Corporation	47.12
Engineering News-Record	5.00
H. B. Folsom	55.11
Gilson Electrical Supply Co.	15.26
The A. J. Glesener Co.	1.58
Greenwood Printers Ltd.	34.25
H. & M. C. Co.	6.70
The Hancock Oil Co. of Calif.	167.75
F. B. Hansen	346.08
Heafey-Moore Co.	8.33
Hersey Inspection Bureau	9.90
Robert W. Hunt Company	37.50
Kling-Dawers Stationery Co., Inc.	2.82
Laird's Stationery	1.11
Maxwell Wholesale Hardware Company	133.77
P. W. McSoreley	12.36
Albert C. Moe	272.96
National Lead Company	27.01
Oakland Airport Inn	2.82
Pabco Paint Store	175.23
Pacific Gas and Electric Company	250.00
Pacific Steel Sales Co. Ltd.	95.43
The Pacific Telephone and Telegraph Company	31.68
Pacific Tool and Supply Company	10.59
Phoenix Iron Works	123.60
Phoenix Photo Engraving Co.	37.38
Ransome Company	7.18
Rhodes & Kennedy, Inc.	8.76
Royal Typewriter Company, Inc.	83.24
Sentinel Sanitary Supply Company	19.99
B. Simon Hardware Co.	2.28
Smith Brothers	9.19
Standard Mill and Lumber Co.	4.95
Standard Oil Company of California	62.53
Stockton Record	9.50
Strable Hardwood Company	40.74
Tide Water Associated Oil Company	18.48
The Tribune Press	3.35

The Tribune Publishing Co.	\$ 30.00
E. K. Wood Lumber Co.	35.57
Sam Bates Company	192.75
Walter P. Koetitz	400.00
Powell Bros., Inc.	625.42
The Tribune Press	175.00
A. H. Abel	92.49
A. C. Meadows	23.22
1925 OAKLAND HARBOR IMPROVEMENT BOND FUND:	
Matson Electrical Equipment Company	1,030.25
	<u>\$6,032.06"</u>

"RESOLUTION NO. 4907

RESOLUTION AWARDING CONTRACT  
FOR FURNISHING AND DELIVERING  
CRUSHER RUN ROCK TO OAKLAND  
MUNICIPAL AIRPORT.

BE IT RESOLVED that the contract for the furnishing and delivering of 10,000 tons, more or less, of crusher run rock to Oakland Municipal Airport be and the same is hereby awarded to HEAFEY-MOORE CO., a corporation, in accordance with the terms of its bid, filed December 5, 1938.

BE IT FURTHER RESOLVED that, pursuant to the specifications and notice calling for bids the said bidder shall file an unqualified certified check in the amount of 10% of said bid as a bond for the guaranty of the furnishing and delivering of said material. At and upon such delivery, said certified check shall be returned to said company.

BE IT FURTHER RESOLVED that the other bids received for said contract be and they are hereby rejected and the checks accompanying same shall be returned to the proper persons."

The following resolutions were introduced and passed by the following vote:

- AYES: Commissioners Colbourn, Fisher, Roland and President McElroy -4-
- NOES: None
- ABSENT: Commissioner Fardee -1-

"RESOLUTION NO. 4908

RESOLUTION APPROVING CERTAIN REGULAR  
APPOINTMENTS IN PORT DEPARTMENT.

BE IT RESOLVED that the following regular appointments are hereby approved by this Board, each to be effective December 5, 1938:

Joseph Wm. Haney, to the position of Pile Driver Foreman, (Port Ordinance No. 222, Section 5.021) - \$1.70 per hour.

Andrew J. Whitehead, to the position of Pile Driver Operator, (Port Ordinance No. 222, Section 5.022) - \$1.60 per hour.

Chas. H. Ross	)	
Chas. C. Brandon	)	
Thos. J. Hutzler	)	to the position of Pile
Nels E. Nelson	)	Driver Man, (Port Ordinance
Robt. Wm. Edwards	)	No. 222, Section 5.023) -
Norman A. Brotherton	)	\$1.40 per hour."

"RESOLUTION NO. 4909

RESOLUTION APPROVING ADDITIONAL  
CLASSIFICATION ON WAGE SCALE  
CONTRACT NO. 1 FWA DOCKET 1629-DS.

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Whereas specifications for Extension to Ninth Avenue Pier PWA Docket No. 1629-DS, Contract No. 1, were approved November 15, 1937 by Resolution No. 4439; and

Whereas said specifications contained a scale of wages setting forth minimum rates to be paid laborers, workmen and mechanics employed by the construction contractors and subcontractors on said work which wage scale contained a provision that any classification not specifically provided for should be paid at a rate of not less than Seventy five Cents per hour; and

Whereas Healy-Tibbitts Construction Co. in the prosecution of its work under said contract No. 1 employed a workman under the classification of "Engineer" at an hourly rate of \$1.60, and said classification was not specifically named in said wage scale but the hourly rate therefor was in excess of the minimum required for classifications not named; now, therefore, be it

RESOLVED that the payment by Healy-Tibbitts Construction Co. of the classification of "Engineer" at the rate of \$1.60 per hour be and the same is hereby approved and said classification shall be deemed to be added to the classifications named in the wage scale contained in said specifications."

"RESOLUTION NO. 4910

RESOLUTION AUTHORIZING FILING OF ACTION AGAINST AMERICAN DREDGING COMPANY FOR COLLECTION OF ACCRUED RENTALS.

BE IT RESOLVED that the Port Attorney be and he hereby is authorized to file an action in such form as he may be advised against American Dredging Company for the collection of the reasonable value of or other rentals or damages for the use and occupation, since July 1, 1936, of that certain tract of land in the Brooklyn Basin area formerly occupied by said Company under lease dated June 30, 1911, and to take such steps in such action as he may deem necessary or expedient."

Port Ordinance No. \_\_\_\_\_, being "AN ORDINANCE AMENDING CERTAIN ITEMS OF PORT ORDINANCE NO. 60 AND ADDING ITEM 2727 THERETO," was introduced and passed to print by the following vote:

- AYES: Commissioners Colbourn, Fisher, Roland and President McElroy -4-
- NOES: None
- ABSENT: Commissioner Pardee -1-

Pursuant to Resolution No. 4889 and advertising for five consecutive days in the city's official newspaper, bids for LOW LIFT DRAINAGE PUMP and OTHER INCIDENTAL WORK at OAKLAND MUNICIPAL AIRPORT were received between the hours of 3:15 and 4:15 p.m. At the hour of 4:15 p.m., the following bids, being all the bids received, were publicly opened:

BIDS FOR FURNISHING AND DELIVERING LOW LIFT DRAINAGE PUMP TO OAKLAND MUNICIPAL AIRPORT.

<u>BIDDER</u>	<u>LUMP SUM</u>	<u>CERTIFIED CHECK</u>
John Bean Mfg.Co., Division		
Food Machinery Corporation	\$2,989.30	\$300.00
Simonds Machinery Co.	3,707.00	420.00
Fairbanks, Morse & Company	2,404.82	275.00
Victor Equipment Company, Pump Division		
Kimball-Krogh Co.	3,558.96	425.00

(Continued)

BIDS FOR  
FURNISHING AND DELIVERING LOW LIFT DRAINAGE PUMP  
TO OAKLAND MUNICIPAL AIRPORT

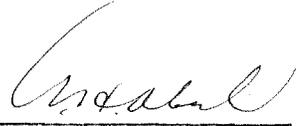
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<u>BIDDER</u>	<u>Lump Sum</u>	<u>Certified Check</u>
Byron Jackson Co.	\$3,467.75	\$400.00
United Iron Works	2,697.00	300.00

( Does not include  
( California State  
( Sales Tax.

These bids were referred to the Port Attorney as to legality and the Port Manager for recommendation as to acceptance of the bids.

ADJOURNED.

  
\_\_\_\_\_  
S E C R E T A R Y

## REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS

of the

PORT OF OAKLAND

Held on Monday, December 19, 1938, at the hour of 3:15 o'clock p.m., due written notice of such meeting having been given members of the Board.

Commissioners present: Colbourn, Fisher, Roland and President McElroy -4-  
Commissioner absent: Pardee -1-

The Port Manager, Port Attorney and Assistant Chief Engineer were also present.

The minutes of the regular meeting of December 12, 1938 were approved, as read, and adopted.

Communications from Bay City Lumber Co., Melrose Lumber Co. and Boorman Lumber Co., protesting increase in set-back charge of lumber, were read and the Port Manager directed to advise these lumber companies that the increase in the charge from fifteen cents to twenty-five cents per thousand FBM was necessary to meet increased cost of operation and to conform to the tariffs of other ports where the minimum charge for this service is twenty-five cents.

Copy of letter from the Port Manager to T. G. Michaels, Attorney representing the Bay Bridge Rod and Gun Club, advising that agreement

for use of Sand Island would not be renewed, together with copy of letter from the Port Manager to J. A. Christie, Superintendent Santa Fe Railway Co., advising him of location of Bay Bridge Rod and Gun Club cabins on their tide lots in Oakland North Harbor area, were filed. Mr. Michaels appeared before the Board and requested that the club be permitted to remain on Sand Island and he introduced Mrs. Faustino and Mrs. Scott, wives of two members of the Club, who attested to the cleanliness of the cabins and the good moral conditions which existed at the Club. President McElroy informed Mr. Michaels that a recent boundary survey, which had been made, definitely placed the club's cabins outside of the Port's property and on the tide lots which are reported to be owned by the Santa Fe Railway Co. Mr. Michaels then tendered fifty dollars in currency for rental of area on Sand Island and was informed that official notice had been sent to the Club that renewal of its present agreement with the Board past its expiration date of December 31, 1938 would not be granted. The fifty dollars which was tendered was not accepted.

Communication from N. W. Armstrong, Executive Secretary, Alameda County Development Commission, registering protest against unsightly appearance of cabins located on Sand Island and requesting notice be served on occupants to vacate, was filed.

Communication from H. A. Gray, Assistant Administrator, Public Works Administration, Washington, D. C., advising the Board's project for Hangar No. 6 (United Air Lines proposed shops) would not be approved, was filed.

Communication from the Port Manager, recommending placing of Port advertisement in "California Fruit News" for 26 issues at \$5.75 per issue, or a total of \$148.90, was read and following discussion, authority was granted for the advertisement as recommended.

Communication from Transcontinental & Western Air, Inc., agreeing to pay \$100.00 per month per schedule for use of Oakland Municipal Airport facilities, was read and resolution later passed granting operating permit to the T.W.A. for the use of the Airport at \$100.00 per round trip schedule per month, which is the same rate now in effect at San Francisco Municipal Airport.

Communication from Albert Johnson, Dock Clerk, requesting leave of absence for twenty days from December 14, on account of illness, attested to by his physician, was read and resolution later passed granting leave, with three-quarters pay, in accordance with Civil Service rules.

Copy of report of J. F. Hassler, City Manager, on affairs of the City for the month of November, 1938, was filed.

The Port Manager reported as follows on the status of certain funds as of December 16, 1938:

<u>Harbor Maintenance and Improvement Fund (No. 226)</u>	
Unencumbered Cash Balance as of Dec. 16, 1938.....	\$85,930.92
Set up in Special Funds 220 and 222 .....	75,000.00
Total Unencumbered Cash in all revenue funds	
as of Dec. 16, 1938 .....	160,930.92
Total Unencumbered Cash as of Nov. 30, 1938 .....	130,480.35
<u>1925 Oakland Harbor Improvement Fund (No. 567)</u>	
Cash Balance as of Dec. 16, 1938 .....	164,308.93

Report of the Port Manager, on accounts receivable for the month of November, 1938, as compared with October, 1938, showing increase in gross revenue and decrease in accounts pastdue, was filed.

Report of the Port Manager on bids received for drainage pump and recommending rejection of all bids and re-advertisement thereof, was read and resolution later passed rejecting all bids and authorizing re-advertisement.

The Secretary reported that Mr. Burnhill, Attorney with Mr. Ira Abraham, had on December 16, 1938 filed with him duplicate executed copies on instruments entitled "Disclaimers", which were alleged to be copies of papers filed in the Superior Court and the District Court of Appeal in the pending condemnation case against the American Dredging Company. By these instruments the corporation purported to disclaim any interest in the right-of-way being condemned and expressly waived any claim for payment of an attorney's fee or for alleged severance damages and court costs, and also stipulated that the \$10,000 court deposit fee might be returned to the Port. The Port Attorney added that the following day the corporation had filed a motion in the District Court of Appeal to dismiss the pending appeal, but that he felt that the disclaimer was not properly filed and that the court should be urged to deny the motion for dismissal and proceed to dispose of the appeal on its merits in the usual course. The Board referred the papers to the Port Attorney for his attention.

In respect to progress made on the removal of the ferryboat "Golden Gate", the Port Attorney stated that defaults have been entered against Lim Sing and H. J. Gardiner for failure to answer complaint and that summons is now being published against Allen Lamb.

The Port Manager stated that he had held conference with Mr. R. C. Porter, who had, under date of July 28, offered to remove the

ferryboat without cost to the Port provided good title to the boat was furnished him by the Board, and that Mr. Porter had re-examined the boat and found that additional damage had been done to the hull but that he was still agreeable to endeavor to remove the boat under the previous conditions. Mr. Porter's letter under date of December 19, in which he renewed his offer, was read. The Board directed the Port Attorney to continue his efforts to obtain the deed to the ferryboat and in the event that this deed is obtained, it was the consensus of the Board that Mr. Porter's offer be accepted.

The Port Manager submitted memorandum of conference with Mr. Chas. Howard, President, Howard Terminal, relative to his proposal for a 25-year lease on the Port property now covered by existing agreement. The memorandum was read and the Port Manager directed to submit further data in respect to amount of rental which the proposed lease should produce.

The Port Attorney advised verbally that if a new lease should be entered into, it should be placed on a different basis than the present agreement, inasmuch as public bidding could not lawfully be had on the basis of the present agreement.

The Port Manager advised he had conferred with Mr. Carl E. Simon, West Coast Manager of Keystone Steel & Wire Co., who had requested the Board to consider a five year lease of 20,000 square feet of space in the Port's warehouse at 19th Avenue and Livingston Street, which is now occupied by the Works Progress Administration. It was stated that Mr. Simon was agreeable to pay one and one-quarter cents per square foot for this amount of space and that, in addition to the rental, he would be able to route about 3,000 tons of waterborne cargo through the Port of Oakland terminals, from which Port revenues would be produced.

The Port Manager stated that the Keystone Steel & Wire Co. had, in the past, handled its products through a San Francisco hardware firm but that they were now desirous of making Oakland their headquarters by establishing a distribution warehouse. After discussion, the Port Manager was directed to advise Mr. Simon that the Board would be agreeable to lease space in this warehouse on the basis of one and one-half cents per square foot.

The Port Manager stated that inasmuch as no advice had been received from Washington, D. C. in respect to the Board's application for a PWA Grant for construction of the new Navy hangar at Oakland Municipal Airport, it

would appear that other means would have to be adopted to take care of the increasing activities of the Navy and Army on the field. He stated that a plan is now being prepared whereby the emergency can be met by enlargement of the present facilities at the Airport and that this plan would be presented at the next Board meeting.

The Port Manager stated that over a period of years an endeavor had been made to obtain an increase in tolls on cargo handled over municipal terminals, but that this had been found impossible of accomplishment in the past due to the attitude of the Board of State Harbor Commissioners not to increase their tolls. He further stated that renewed effort is being made, in conjunction with private terminal operators, to bring about the desired result and that it is hoped this can be accomplished through the cooperation of newly elected state officials.

The Port Manager reported that representatives of the San Leandro Chamber of Commerce had conferred with him in respect to the development of a Yacht Harbor in San Leandro Bay and that they had stated, through cooperation of Congressman Carter, the Committee on Rivers and Harbors had ordered that a survey by the U. S. Engineers be made to obtain information relative to the possibility of developing the harbor for San Leandro. The Port Manager stated that he called their attention to the fact that the Port of Oakland had already provided a dock on the Airport Channel over which they might ship any waterborne tonnage that might be developed in San Leandro, but if a yacht harbor were developed in this area, it would follow that all the yachts would have to pass through the three bridges on the tidal canal, inasmuch as the entrance to San Leandro Bay from San Francisco Bay was not developed and could not be used advantageously. He further reported that the representatives present at the conference stated that they had no funds with which to develop a yacht harbor but that they were seeking information as to how the harbor might be developed without cost to them. They further stated that they were investigating the possibility of annexing lands bordering on San Francisco Bay at the foot of Davis Street for a possible future harbor. In this respect, it was pointed out that the present statutes would not permit such an annexation.

In respect to the matter of water damage to the cargo of Libby, McNeill & Libby by the breaking of a sprinkler main at the Outer Harbor Terminal several months past, the Port Attorney stated that after considering the possibility of compromising the loss with Libby's insurance

carriers, the Board's insurance carrier had raised the issue that the claim by Libby, McNeill & Libby is barred by failure to file proper notice with the Board.

The Port Attorney reported that the S. T. Johnson Company had finally acquiesced in the terms of the proposed lease of Port property at 19th Avenue and Livingston Street and that resolutions inviting bids will be prepared for the Board's action at a future meeting.

From press reports it was noted that President Roosevelt had pledged his aid to further the building of ships at Pacific Coast shipyards and that James A. Moore, of the Moore Drydock Company, had received a promise of two freighters to be built at the Moore Drydock plant, at a cost of between six and eight million dollars.

Inasmuch as Monday, December 26, the next meeting date, will fall on a holiday, the Board directed that its next meeting be on call from the President.

The following resolutions were introduced and passed by the following vote:

AYES:	Commissioners Colbourn, Fisher, Roland and President McElroy	-4-
NOES:	None	
ABSENT:	Commissioner Pardee	-1-

"RESOLUTION NO. 4911

RESOLUTION APPROVING AND ALLOWING CERTAIN CLAIMS AND DEMANDS.

RESOLVED: That the following claims and demands, having been approved by the Auditing Committee, be and the same are hereby approved and allowed by the Board of Port Commissioners and the Auditor is authorized to draw his warrant for the same out of the proper Fund.

HARBOR MAINTENANCE AND IMPROVEMENT FUND:		
Pacific Gas and Electric Company		\$1,516.48
Karl Sandell		17.50
H. G. Adam		10.13
Markell C. Baer		71.24
M. D. McCarl		26.36
R. N. Ricketts		13.21
Port Revolving Fund - Misc.		435.93
Payrolls - Administrative Department		2,057.50
" - Airport		860.00
" - Engineering Department		2,245.50
" - Grove and Market Street Piers		1,537.71
" - Maintenance Department		3,564.01
" - Ninth Avenue Pier		734.12
" - Outer Harbor Terminal		5,116.99
" - Traffic Department		1,392.50
Superintendent of Documents		7.50
		<u>\$19,606.68"</u>

"RESOLUTION NO. 4912

"RESOLUTION NO. 4912

RESOLUTION APPROVING WEEKLY PAYROLLS,  
RATIFYING ALL HIRINGS AND EMPLOYMENTS  
THEREIN AND REIMBURSING PORT REVOLVING  
FUND.

BE IT RESOLVED that the weekly payrolls for the weeks ending December 6 and December 13, 1938, be and the same are hereby approved and the hiring or employment of each and all of the services therein set forth at the compensations therein paid is hereby ratified, confirmed and approved, and

BE IT FURTHER RESOLVED that the demand against the Harbor Maintenance and Improvement Fund for the reimbursement of the Port Revolving Fund in the amount set forth therein, having been approved by the Auditing Committee, is hereby approved and allowed, and the City Auditor be and he is hereby authorized and directed to draw his warrant for the same and make such reimbursement.

HARBOR MAINTENANCE AND IMPROVEMENT FUND:

Port Revolving Fund - Payrolls \$1,432.71"

"RESOLUTION NO. 4913

RESOLUTION REJECTING ALL BIDS  
RECEIVED FOR FURNISHING AND  
DELIVERING OF LOW LIFT DRAINAGE  
PUMP, APPROVING REVISED SPECIFICA-  
TIONS, AND DIRECTING ADVERTISING.

BE IT RESOLVED that all bids received by this Board at its meeting of December 12, 1938 for the furnishing and delivering of a low lift drainage pump to Oakland Municipal Airport are hereby rejected, the two lowest bids therefor having been disapproved by the Port Attorney as not being valid, and the Secretary of this Board is hereby authorized to return the certified checks accompanying all said bids to the respective bidders.

BE IT FURTHER RESOLVED that the revised specifications for one low lift drainage pump filed with this Board and the manner of payment therefor be and the same are hereby approved.

BE IT FURTHER RESOLVED that the Secretary of this Board be and he is hereby authorized to advertise for five consecutive days in the official newspaper for sealed proposals for such equipment to be furnished as required by law."

"RESOLUTION NO. 4914

RESOLUTION GRANTING LEAVE  
OF ABSENCE WITH PAY TO  
ALBERT JOHNSON, DOCK CLERK.

BE IT RESOLVED that Albert Johnson, Dock Clerk, (Port Ordinance No. 222, Section 8.07), is hereby granted a leave of absence on account of illness, said leave to be for 20 days commencing December 14, 1938, with compensation at the rate of 75% of the salary payable such employee as provided by the rules of the Civil Service Board."

"RESOLUTION NO. 4915

RESOLUTION GRANTING SPECIAL PERMIT FOR  
SCHEDULED OPERATIONS OF TWA, INC. FROM  
OAKLAND MUNICIPAL AIRPORT.

RESOLVED that Transcontinental & Western Air, Inc., having commenced scheduled operations of its air passenger transport lines to and from the Oakland Municipal Airport, and having requested arrangement for the payment of a flat rate per month for the use of the Airport and its facilities in order that said operations may be placed

on a regular basis, and it appearing to this Board that such special agreement should be made under Section 4, Port Ordinance No. 31, it is hereby provided that commencing with December 1, 1938 said corporation shall pay to the City of Oakland the sum of \$100.00 a month, in advance, which rate shall cover the landing of its Flights 25 and 26, subject to the rules and regulations of this Board in effect at said Airport, provided this agreement may be modified by mutual consent."

Port Ordinance No. 295 being "AN ORDINANCE AMENDING CERTAIN ITEMS OF PORT ORDINANCE NO. 60 AND ADDING ITEM 2727 THERETO," having been duly introduced, read and published, was finally adopted by the following vote:

AYES: Commissioners Colbourn, Fisher, Roland and  
President McElroy -4-

NOES: None

ABSENT: Commissioner Pardee -1-

ADJOURNED.

  
S E C R E T A R Y

REGULAR MEETING OF THE BOARD OF PORT COMMISSIONERS  
of the  
PORT OF OAKLAND

Held on Thursday, December 29, 1938 at the hour of 11:45 o'clock  
a.m., on the call of the President.

Commissioners present: Colbourn, Fisher, Roland and  
President McElroy -4-

Commissioner absent: Pardee -1-

The Port Manager and the Port Attorney were also present.

The minutes of the regular meeting of December 19, 1938 were approved,  
as read, and adopted.

Port Manager's Certificate of Completion of contract with Lee J.  
Immel, for Rental of Concrete Mixer for use at Oakland Municipal Airport,  
was read and resolution later passed accepting the contract.

Communication from Howard Terminal, advising it is deemed im-  
practical to consider an interim agreement which would permit them to  
proceed with their construction program during period a new 25-year agree-  
ment is being negotiated for lease of Port property fronting their property,

was filed. The Port Manager stated that Mr. Howard had verbally requested to meet with the Board at an early date and the Board directed the Port Manager to arrange for an appointment with Mr. Howard at its regular meeting of January 9, 1939.

Communication from Port Attorney, enclosing copy of letter to Charles Howard, President Howard Terminal, setting forth legal issues involved in proposed 25-year lease on Port property requested by him, was filed.

Communication from G. E. McDonald, Managing Director, Oakland National Housing Exposition, advising they desire the Port exhibit to be displayed, but that they are not satisfied with the \$25.00 contribution for space occupancy and desire the \$200.00 rental, was read and after discussion, the Port Manager was directed to advise Mr. McDonald that the Board would be pleased to arrange for the display of the Port exhibit at the Housing Exposition under the conditions as set forth in its communication of December 17, 1938.

Communication from Victor J. LaMotte, President, Oakland Chamber of Commerce, urging the Board to participate in the second annual Housing Exposition, was read and the Port Manager directed to advise Mr. LaMotte that the Board had previously offered to place the Port exhibit at the Exposition.

Copy of letter to G. E. Arbogast, Chairman, California Association of Port Authorities, relative to efforts being made to increase toll charge at Bay Terminals, was filed.

Communication from May L. Palmer, requesting further extension of leave of absence, on account of illness, accompanied by physician's certificate, was read and resolution later passed granting leave of absence without pay, for a period of four months, terminating April 30, 1939.

The Port Manager reported as follows on the status of certain funds as of December 23, 1938:

<u>Harbor Maintenance and Improvement Fund (No. 226)</u>	
Unencumbered Cash Balance as of Dec. 23, 1938 .....	\$89,895.74
Set up in Special Funds 220 and 222 .....	75,000.00
Total Unencumbered Cash in all revenue funds	
as of Dec. 23, 1938 .....	164,895.74
Total Unencumbered Cash as of Nov. 30, 1938 .....	130,480.35
<u>1925 Oakland Harbor Improvement Fund (No. 567)</u>	
Cash Balance as of December 23, 1938 .....	159,308.93

The Board's attention was called to the award of contract by the Federal Government to Moore Dry Dock Co. for two cargo vessels at a price

of \$2,857,760.00 each, or a total of \$5,715,520.00 for both vessels. It was further reported that actual work on construction of these vessels would start in about three months, and in the meantime Moore Dry Dock Co. will spend approximately \$140,000.00 in rebuilding its shipways.

The Port Manager reported that a conference had been held with Mr. J. C. Reynolds, business agent for Alameda County Building Trades Council, and representatives of the local C.I.O. Warehousemen's Union, in respect to the handling of German cement now stored at Market Street dock. He stated that Mr. Reynolds and the representatives of the labor union had urged that the Port refuse to load out the cement which is on the dock and that he had informed them that this could not be done inasmuch as the Port is obligated to handle all shipping business which is offered. Mr. Reynolds stated that his objective was to discourage the use of the German cement, which is being sold at about a dollar lower per barrel than the American Cement.

The Port Manager presented a draft of telegram which is being sent to President Roosevelt by the various steamship interests in opposition to the elimination of the long and short haul clause of the Interstate Commerce Act, and stated that they requested the Board to join with them in sending this telegram. It was recalled that the Board had consistently supported the opposition to the elimination of this clause in the past and it was the consensus of the Board that although it is to its interest to have the long and short haul clause retained, it would not, at this time, join the steamship companies in their telegram to the President of the United States, but would express its views through other channels. The Port Manager stated that he, as President of the Pacific Coast Association of Port Authorities, would be pleased to present this matter to the Association members, inasmuch as the matter was vital to all ports on the Pacific Coast, and the Board expressed its agreeableness to this procedure.

The report of the Auditing Committee on claims and demands was adopted.

Inasmuch as Monday, January 2, 1939, the next meeting date, will fall on a holiday, the Board directed that its next meeting be on call from the President.

The following resolution was introduced and passed by the following vote:

AYES: Commissioners Colbourn, Fisher and President McElroy -3-  
 NCES: None  
 ABSENT: Commissioner Pardee -1-  
 NOT VOTING: Commissioner Roland -1-

"RESOLUTION NO. 4916

RESOLUTION APPROVING AND ALLOWING  
CERTAIN CLAIMS AND DEMANDS.

RESOLVED: That the following claims and demands, having been approved by the Auditing Committee, be and the same are hereby approved and allowed by the Board of Port Commissioners and the Auditor is authorized to draw his warrant for the same out of the proper Fund:

HARBOR MAINTENANCE AND IMPROVEMENT FUND:

Air Reduction Sales Co.	\$ 31.32
American Bag & Union Hide Co.	15.14
American Bitumuls Company	35.32
The American Rubber Manufacturing Co.	20.94
Associated Stationers	15.14
Baker, Hamilton & Pacific Company	19.11
Bay Cities Asbestos Co.	5.72
Bay Cities Sandblasting Co.	1.75
Bigge Drayage Company	818.05
Blake, Moffitt & Towne	9.24
Geo. R. Borrmann Steel Company	40.78
Calaveras Cement Company	285.92
California Corrugated Culvert Company	32.16
California Pottery Company	41.11
California State Chamber of Commerce	2.50
Chanslor & Lyon Stores, Inc.	4.59
Frank R. Church	300.00
City of Oakland, Garage Department	1.10
Cochran & Celli	40.80
Henry Cowell Lime and Cement Co.	82.14
Dieterich-Post Company	19.78
Dock Checkers Employers Association	102.37
East Bay Glass Company	17.39
East Bay Municipal Utility District	67.49
East Oakland Auto Top Shop	24.00
The Electric Corporation	10.29
Electrical Products Corporation	30.29
Fairbanks, Morse & Co.	8.50
Firestone Auto Supply & Service Stores	9.54
The Gatchells	1.55
Gilson Electrical Supply Co.	47.42
Greenwood Printers Ltd.	81.48
Grinnell Company of the Pacific	3.68
The Hancock Oil Co. of Calif.	369.59
Hogan Lumber Company	47.27
Hutchinson Co.	179.10
Independent Construction Co., Ltd.	393.75
Industrial Home for the Adult Blind	6.93
International Business Machines Corporation	18.47
E. & R. James Company	9.91
Ed. Jones & Co.	3.65
Kieckhefer Container Company	30.87
Kling-Dawers Stationery Co., Inc.	9.34
Geo. A. Kreplin Co.	41.37
Laird's Stationery	2.83
Libby, McNeill & Libby	39.57
The Marine Exchange of the San Francisco Chamber of Commerce	10.00
C. W. Marwedel	15.24
Maxwell Wholesale Hardware Company	22.86
A. B. McPherson	4.00
Albert C. Moe	53.67
The National Industrial Traffic League	60.00
National Lead Company	117.44

COPY

Oakland Airport Inn	\$ 1.13
Oakland Fire Extinguisher Co.	55.41
Oakland National Engraving and Gravure Co.	26.16
Oakland Plumbing Supply Co.	33.08
Pacific Marine Review	20.00
Pacific Shipper	68.00
The Pacific Telephone and Telegraph Company	227.85
Pacific Tool and Supply Company	15.03
Peterson Tractor & Equipment Co.	35.86
Phoenix Iron Works	166.86
Pioneer Sawdust and San Depot	12.88
R. & S. Brick Company	19.00
Rhodes & Kennedy, Inc.	28.05
Sanders Glass Company	5.41
San Francisco Bay Carloading Conference	5.00
San Francisco Commercial Club	38.80
The San Francisco Stevedoring Co.	5.40
Schirrmacher Co.	10.84
H. G. Scovern & Co.	10.52
Sentinel Sanitary Supply Company	10.32
Shell Oil Company	21.06
Shields, Harper & Co.	1.67
B. Simon Hardware Co.	13.22
Smith Brothers	14.51
Standard Wiping Rag Company	11.22
H. W. Starr	2.00
Sterling Press	14.90
Clyde Sunderland	53.57
Tide Water Associated Oil Company	61.87
The Tribune Publishing Co.	12.53
United Iron Works	30.45
The Western Union Telegraph Company	1.63
White Investment Company	50.00
E. K. Wood Lumber Co.	11.76
Zellerbach Paper Company	20.67
1925 OAKLAND HARBOR IMPROVEMENT BOND FUND:	
Heafey-Moore Company	3,000.96
Acme Transportation, Inc.	350.96
LEASED WHARF IMPROVEMENT FUND:	
Howard Terminal	<u>3,464.67</u>
	\$11,595.72"

The following resolutions were introduced and passed by the following vote:

AYES: Commissioners Colbourn, Fisher, Roland and  
President McElroy -4-

NOES: None

ABSENT: Commissioner Fardee -1-

"RESOLUTION NO. 4917  
RESOLUTION ACCEPTING CONTRACT  
WITH LEE J. IMMEL.

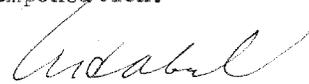
BE IT RESOLVED that the contract with Lee J. Immel for the furnishing, on a rental basis, of a concrete mixer for use at Oakland Municipal Airport, having been satisfactorily completed, be and the same is hereby accepted."

"RESOLUTION NO. 4918

RESOLUTION EXTENDING LEAVE  
OF ABSENCE HERETOFORE GRANTED  
MAY L. PALMER, SECRETARY TO PORT MANAGER.

BE IT RESOLVED That May L. Palmer, Secretary to Port Manager (Port Ordinance No. 222, Section 2.05), is hereby granted a further leave of absence on account of illness, said leave to be for a period of four months commencing January 1, 1939, without compensation."

ADJOURNED

  
SECRETARY